TO THE READER

KINDLY use this book very carefully. If the book is disfigured or marked or written on while in your possession the book will have to be replaced by a new copy or paid for. In case the book be a volume of set of which single volumes are not available the price of the whole set will be realized.

AMARSINGH COLLEGE

Checked
1976

LIGHT MORE LIGHT
A.S. COLLEGE

Library

81

Class No. 320
Book No. 547E
Acc. No. 7858

ELEMENTARY CIVICS

By the same Author :

Central Banking in Undeveloped Money Markets

An Introduction to Civics

Intermediate Civics

Elementary Economics

प्रारम्भिक अर्थशास्त्र

नागरिक शास्त्र

पौरनीति

Com-07 30
AW

ELEMENTARY CIVICS

By

SATYENDRA NATH SEN, M.A., Ph.D. (LOND.)

UNIVERSITY LECTURER IN THE DEPARTMENTS OF
ECONOMICS AND COMMERCE, CALCUTTA
UNIVERSITY.

FOURTH EDITION
Revised and Enlarged

BOOKLAND LIMITED
BOOKSELLERS & PUBLISHERS
1, SANKAR GHOSH LANE, CALCUTTA 6.

ND LTD.
1, Sankar Ghosh Lane, Calcutta-6

Branches :
BOOKLAND LTD.
211/1, Cornwallis St., Calcutta-6
44, Johnstonganj, Allahabad-3

MAR SINGH COLLEGE
7858
LIBRARY, SRINAGAR

Price Rs. 6/- only.

320
S47E

Published by Janakinath Basu, for Bookland Ltd., 1, Sankar Ghosh Lane, Calcutta-6 and printed by P. B. Roy at Prabartak Printing & Halftone, Ltd., 52/3, Bowbazar Street, Calcutta-12.

7858

PREFACE TO THE FOURTH EDITION

In preparing the book for the new edition, we have enlarged it considerably in many places so as to cover the Syllabuses of the Universities of the Punjab, Delhi, Rajasthan, the U.P., Bihar, and other states. In other places the facts and all informations have been brought up-to-date. We hope that this new edition will prove equally popular among the young citizens of this country. For this our thanks are due to a large number of teachers and students who have written so many encouraging letters to the author. We would gratefully welcome all suggestions for the improvement of the book.

Calcutta,
10.11.52

S. N. S.

PREFACE TO THE FIRST EDITION

This is a book that deals with the elementary principles of Civics and Indian administration. It is hardly necessary in these days to stress the importance of a study of Civics in our country. Whatever the actual form that is given to our future constitution, much will depend on the way in which the future citizens of India will work that constitution. A clear understanding of the implications of proper civic behaviour is thus essential for all people of our country. Though meant primarily for the University students, this book, we earnestly hope, will prove to be of considerable help to the general reader who wants to get within a short compass a reasonable idea of the important civics problems of our country.

Mrs. Sen has helped me considerably in the preparation of this volume. My thanks are due to Mr. G. C. Bose, and Mr. J. N. Basu of the Bookland Ltd. for the trouble they have taken to print this book in these days of paper economy.

January, 1945. S. N. S.

CONTENTS

PART I

Politics

SUBJECTS ... PAGE

1. Scope and Method of Civics ... 1
2. The Individual and the Society ... 10
3. Forms of Social organisation ... 14
4. Family ... 17
5. The Village and the City ... 24
6. The State ... 27
7. Origin of the State ... 33
8. Nation and the State ... 41
9. Functions of the State ... 47
10. The State in Relation to Industry and Social Services 55
11. Citizenship ... 64
12. Rights and Duties of Citizenship ... 68
13. Good Citizenship ... 77
14. Law, Crime and Punishment ... 80
15. Liberty and Authority ... 88
16. Equality ... 95
17. Forms of Government ... 97
18. Democracy and Dictatorship ... 103
19. Other Forms of Government ... 113
20. The Constitution ... 121
21. Organs of Government and Separation of Powers ... 125
22. The Electorate ... 135
23. Forces of Political Activity ... 148
24. Local Self-Government ... 155

SUBJECTS PAGE

25. Culture and Civilisation 159
26. ✓ Leisure and Recreation 162
27. ✓ Civic Ideals 166
28. Towards World Citizenship ... 171

PART II

Indian Administration

SUBJECTS PAGE

1. Growth of British Administration in India ... 185
2. 1919-1937 190
3. The Government Act of 1935 196
4. Cabinet Mission and After 208
5. The Central Government 217
6. The Parliament of the Union Legislature ... 224
7. Division of Subjects 228
8. Autonomy of the States 231
9. The State Executive 4 236
10. The State Legislature 4 239
Appendix. Composition of the Legislature in Different States ... 245
11. Miscellaneous 248
12. The So-called Native States 252
13. The Judiciary 4 257
14. Public Services 4 261
15. Defence and Foreign Services 265
16. Administration in States 271
17. Village Government and its organisation ... 276

SUBJECTS PAGE
18. Local Bodies 283
Appendix to Chapter 18.
Municipalities in Different States 293
19. Rural Self-Governing Bodies 297
20. Some Problems of Local Bodies 314
21. Education and Public Health 320
22. India, Commonwealth and the U.N.O. ... 330

PART III

Economic and Social Conditions of India

1. Natural Resources and Population 337
2. Agriculture 351
3. Co-operation 366
4. Systems of Land Tenure in India 375
5. Famines 381
6. Cottage Industries 387
7. Industries 393
8. Government and Industries 402
9. Railways and Communications 407
10. India's Foreign Trade 414
11. Poverty and Kindred Problems in India ... 420
12. National and Religious Movements 435
13. Some Social Problems of India. 447

PART I

POLITICS

7858

CHAPTER 1

SCOPE AND METHOD OF CIVICS

What is Civics?

Anyone walking along the streets of an Indian city will soon find, often to his cost, that people, living in two or three-storied buildings, are throwing refuse carelessly on the streets. Nobody takes the least notice of the fact that water hydrants are open though none is taking water from them. Much waste of water is thus taking place, in consequence of which some persons will have to go without water. In the villages, people are often found to wash the clothes of a cholera patient in the tank of the village. In this way they are polluting water, and anybody drinking that water will fall a victim to the disease. All this is due to the fact that our people lack what has been called "civic sense". What is civic sense? It means the sense of obligation or duty which everybody owes to the society of which he is a member. It is our duty to keep our houses and streets clean, and not to waste or pollute the drinking water. We owe these duties to the society and to our neighbours. Civics is a study of these duties and their corresponding rights which every individual possesses, or ought to possess as a member of the community.

Man is by nature a social animal. His nature is such that he likes to live in company with a number of individuals. It has been well said that a man who likes always to be alone is either a God or a beast. The ordinary human beings cannot live except in association with other fellows. From his birth a man depends on others for his life. His habits, his thoughts, and his ideas are all moulded by the society in which he lives. He always feels in his bone a hankering for "society, friendship and love". This feeling drives him to seek the company of his wife, children, friends and acquaintances, and to live in a social group along with others.

Men have therefore been found living in some form of society from the earliest times. Life in a society has its pleasures no doubt; but it imposes certain obligations on the members. When a man lives alone, he can do anything he likes. He has not to consider the convenience or inconvenience of others. But when he marries and lives with his wife, he will have to adjust his activities to suit the conveniences of his wife. When he has children, he will have further to adjust his activities for the sake of his family. He has now many obligations towards his wife and children. On many occasions he will have to give up something in order that he may share the common benefits of living together. Every member of the family has to adjust his activities and his behaviour to those of others. Life in a society calls for a good deal of adjustment among the individuals. It also imposes many obligations and confers many rights. When a man joins a club, he enjoys some rights and amenities as a member. He has also to perform some duties towards his club and the fellow members. He has to pay his subscription regularly; he has to obey the rules and regulations of the club. In return, he is entitled to enjoy all the benefits conferred by the club on all members.

Similarly, as a member of a family, a village, a city, or a community, every individual has to face many problems of adjusting his behaviour in accordance with the rules, or the conveniences of others. He has also many responsibilities and obligations. He enjoys many rights by virtue of his membership of the society. All these problems of adjustment, the rights and obligations, which an individual has to face as a member of a society form the subject-matter of Civics.

Civics studies man's actions as a citizen.

Scope of Civics. Civics, therefore, studies man's actions as a member of a society. But it does not seek to study all the different actions of a man. Like other social sciences, it concentrates only on one aspect of human activities. It is concerned with that part of a man's actions which are centred round citizenship. In fact, civics is derived from the Latin word, *civis,* which means a citizen. As a citizen, the individual has face many problems of adjustment with his neighbours and with the state. He has many duties and obligations, many rights and privileges as a citizen. All this is studied by civics. It seeks to learn the essential nature of citizenship, and to examine the existing institutions under which the citizen carries on his functions. It is also concerned with those social institutions which enable the citizen to attain his best self and to make his best contribution to the common good of the community of which he is a member.

(*a*) the social institutions in which the citizen functions.

Civics, therefore, studies the rights and duties of a citizen, and the relation which exists between the society and the individual. Secondly, it examines those social institutions, (*e.g.* the local bodies, or the state or the international organisation), under which the citizen has to discharge his functions. Originally citizenship was concerned only with the city. The Greeks defined a citizen as a person who actively participated in the affairs of the city-state. But the modern state is far wider than the city. So the modern citizen must not only study the organisation of his city or village, but that of the state as well. Thirdly, no state can exist in isolation. It must live in co-operation with other states. The method of co-operation that is evolved will affect the lives of the citizen. So he must also study the international organisation. A knowledge of these institutions, local or national or international, will be a great help to the citizen towards the efficient discharge of his functions. Lastly, the citizen must study the economic organisation of his country. It will affect him at every step, and will colour his whole life.

(*b*) and the economic organisation.

How is the subject related to

Relation of Civics to Social Sciences. The term, 'social sciences' is applied to those subjects of study which are concerned with the various activities of man as a member of the society. Civics is a social science. It deals with the problems that face a man as a member of a society. As such it has many points of contact with almost all other subjects. The relations between civics and the different social sciences like sociology, politics, economics, history, etc., are very close.

Sociology?

Civics and Sociology. Sociology is the science which deals with the origin and development of society. It is the most comprehensive social science whose aim is to analyse and describe social life in all ages and countries. It studies society in all aspects. But the scope of civics is limited. It studies only one aspect of social life, *i.e.*, the activities of man as a citizen. So it studies in detail only one part of the subjects included in sociology. Dealing as it does with all aspects of social development, sociology does not study any particular aspect in details. Though the scope of civics is different from that of sociology, it is heavily indebted to the latter. Sociology furnishes us with the knowledge to understand the origin and the development of the various social institutions like the family, the state etc. This knowledge is of very great help to students of civics as it enables them to determine their relationship and their rights and duties in respect of these social institutions.

Politics?

Civics and Polities. Of all the social sciences, the relation between civics and politics is very close. Both these words are derived practically from the same origin. Civics is derived from the Latin word *"civitas"*, which means a city. Politics is derived from the Greek word *Polis,* which also means a city. To the Greeks, their cities were states. So Politics, the science of the city, was also the science of the state.

It is clear, therefore, that the two sciences, civics and politics, will have much in common. Both deal with man who lives in a politically organised community. Both are interested in the rights and duties of citizens. Both deal with the state and its different organisations.

There is, however, some difference between the two sciences. Though both politics and civics deal with the state, their interests are different. Politics studies the origin, development, organisation and functions of the state as such. Civics studies the state in so far as its operations affect the rights and duties of citizenship. Politics is mainly concerned with the state. Civics is mainly concerned with the problems of citizenship. The scope of politics is much wider. It deals with the national and international problems. It is no longer concerned with the problems of city life. But within its limited field, civics studies more subjects than politics. It discusses all the different aspects of citizenship. Civics is, therefore, concerned with other things beside the state and its organs. Civics is more practical in its bearing on the problems of everyday life than politics. Politics seeks to determine the best state and the best form of government; civics seeks to train up the best citizens.

Economics?

2 . **Civics and Economics.** Since civics is a study of citizenship, it must also concern itself with the economic aspects of citizenship. Hence civics has much to learn from economics. No man can become a good citizen unless he knows something about the principles of economics. The operation of the economic laws and the economic conditions will determine his material prosperity to a large extent. A knowledge of economics helps him to carry out his civic duties properly and to solve the problems of poverty, unemployment, etc. Hence civics without economics will not yield any fruitful result. This close relationship between civics and economic conditions was clearly realised by Aristotle, a famous Greek Philosopher, who pointed out that one could not become a good citizen unless he was free from the worries of the material cares of life.

Though civics has much to learn from economics the scope of its study is different from that of the latter. Economics is concerned only with one aspect of the social life, the economic aspect. It is not interested in citizenship as such. Civics studies social life, not only in its economic aspect, but also in all other aspects in so far as they affect him as a citizen.

History?

Civics and History. Just as sociology is the general science of human society, so history records the story of human civilisation. Civics must, therefore, have an intimate association with that subject. It enables the citizen to know the processes of evolution of the present institutions. A knowledge of the past will help him to form a clear understanding of the present. It will furnish him with better ideas about the building of the future. Civics, therefore, derives its materials from the facts furnished by history.

But civics is not history. History traces the growth of civilisation in each country. It records the events that have happened in the past. Civics, for the most part, takes that knowledge for granted. Civics is not interested in the story of dynastic wars, national rivalries, and mutual slaughter of races. It is interested in history in so far as a knowledge of that subject helps it to understand the evolution of modern citizenship. It is, concerned not only with the historical aspect of citizenship, but with other aspects as well.

Ethics?

Civics and Ethics. Ethics is the science of ideal human conduct. Its business is to decide what is right or wrong and what constitutes virtue. It deals with morality, and the relation of man to God. Civics has much to learn from ethics. Ethical discussions about right and wrong and of the morality of the different customs and institutions help the citizen to form correct ideas about his duties. They enable him to reform these customs and institutions. A good citizen must also be a good man. Hence as civics seeks to produce best citizens, it is much interested in the ethical ideas of a society. But while ethics is concerned with theory, civics is concerned with practice. Ethics tells us the qualities of a good man ; it supplies correct answer to the question, who is the best man? Civics discusses the methods by which one can become a good citizen ; it supplies answer to the question, how to be a good citizen?

Hence the scope of civics is different from that of ethics. Civics takes ethical discussions as granted. Ethics is concerned with both the *inner* and *outer* life of a man. Civics deals with only the *external* aspects of citizenship.

Civics and Psychology. Psychology is also a social science. The scope of its study is the human mind in all its depths and varieties. Man is a volutional creature. His actions are governed partly by sentiment and emotion, and partly by reason. These are studied by psychology. Since civics studies the activities of man as a citizen, it is interested in psychology. It depends on psychology for a knowledge of the motives and forces that mould the activities of men in society. Students of civics, therefore, derive some benefit from a knowledge of psychology.

But the scope of the two subjects is different. Civics studies the external conduct of man as a citizen. It is interested in the activities of men ; psychology is interested in studying the motives behind those activities.

Civics and Geography. Just as a man's activities are guided by his mental habits and attitudes, so these are influenced to a large extent by the geographical conditions. The natural environments of a country, its climate and resources exercise a great influence on the habits, customs and institutions of the people. Geography is a study of the natural environments of a country. Civics is, therefore, related to that subject in so far as the activities of man as a citizen are dependent on the knowledge of the earth.

But though the subject-matter of the social sciences touches one another, their aims are quite different. Geography studies primarily the earth, and secondarily the activities of men in relation to the earth. Civics studies the citizen in the first instance. Its interest in the earth is mainly indirect.

Civics is a practical study which aims at making good citizens.

Methods of Study. Civics employs the same methods of study which are used in other social sciences. A subject may be studied by means of two methods—the deductive and the inductive method. The deductive method starts from certain basic propositions regarding human nature and derives broad generalisations from them. The inductive method collects facts, and studies the historical development of a particular phenomenon, subjects them to close scrutiny, and then draws broad generalisations from these data. Most of the social sciences usually follow both these methods as necessary. There are two peculiarities in connection with the study of civics. In the physical sciences (*e.g.*, Chemistry, Physics, etc.) we can make suitable experiments in the laboratories to verify the conclusions. But the student of civics cannot make any such experiment. He deals with human beings whose activities cannot be tested in any laboratory. To this extent he is handicapped. Secondly, civics is a severely practical subject. Its aim is to build up good citizens. Hence it is not merely a theoretical study whose aim is to secure knowledge about the different social institutions. Therefore it relies more on the inductive and less on the purely deductive methods.

It follows both deductive and inductive method.

The student of civics relies more on observation. He should survey the social life around him. He must patiently study how the ordinary people live and work, what are the ideas that move them and what customs and institutions mould their activities. He must have imagination and insight. He should possess sympathy to understand the lives of the people around him. If he feels sympathy for others, this will impel him to study the causes of degradation and poverty which he will find among the people. It will urge him to fight these causes, and to try to make a better citizen of every man and woman.

Importance of Civics. The importance of the study of civics is obvious. Civics is the study of man's actions as a citizen. Man is by nature a social animal, and has always lived in some form of society. He is likely to derive great benefit from the study of a subject which tells him everything about his rights and duties as a member of a society. A knowledge of the character of the different social institutions in which he has to live will enable him to face the different problems of social life with great ease. It is the aim of civics to spread the knowledge about civic duties among the people. In so far as such civic sense is developed among the individuals, they will become better citizens, more alert about their duties and rights. The country as a whole benefits where the inhabitants are good citizens. The success of democracy depends on the citizens. Democracy means government by the common man. Unless the common man becomes an able citizen, democratic government will become a failure.

Civics seeks to train up good citizens.

Democracy will give its best to that country whose citizens are properly trained and educated, and possess a highly developed civic sense. Civics aims at making better citizens. Hence the utility of such a study is beyond dispute.

So its study is highly important.

If the citizen is to do his best to further the common good, he must first train himself. He must know his duties and rights, and study the social conditions. He must form a clear understanding of the different aspects and institutions of civic life around him. A knowledge of the rights and duties of citizenship will enable him to follow the right path in civic affairs. If he feels that the reform of the social conditions is absolutely essential, a knowledge of civics will help him considerably in this direction.

Everybody must have knowledge of civics.

We envisage the future of India as a free democratic country. In order that our democracy may prove a success, we must train the young men of to-day so that they shall know to act properly as the true citizen of mother India. A knowledge of civics will develop a sense of responsibility in the future citizens. It will give them the proper training necessary to solve the acute problems of poverty and degradation. The young men will then know the part they will have to play in the social and political affairs of their country. A knowledge of civics should form an essential element in the education of all persons.

CHAPTER 2

THE INDIVIDUAL AND THE SOCIETY

Society is a group of people with a common aim.

Civics is the study of man's actions as a member of a society. What is a society? Society consists of a group of people who are associated together for some common interests and purpose. The individuals constituting a society must be united together by some common purpose. The possession of a common purpose distinguishes a society of men from a crowd of men. When a number of people loiter aimlessly in the street corners, they do not form a society. But when under the influence of a powerful orator, they are fired by a single aim and begin to shout slogans, they are on the way to form a society. A trade union, a club, a study circle, are all examples of a society. The members of a society are associated and organised into a unity of will for a common end. In order to form a society, there must be a number of men, who should pursue jointly some common interest or purpose.

Why do we have to live in society?

Necessity of Society. The origin of society is highly obscure. All that we know is that there was never a time when men did not live in some sort of a social organisation. The reasons are obvious. *Man is by nature a social animal.* His instinct impels him to live along with others. He wants to enjoy the love of his wife and children, the affection and the company of his friends. Without these he will feel that life is not worth living. As Aristotle, the Greek philosopher, stated long ago, a man who likes to live alone perpetually is either a God or a beast. Hence this gregorious nature of man impels him to form a society. There are also certain inherent necessities for the existence of society. Everyone is born into a family, probably the earliest form of social organisation. Very few babies would survive the helpless days of their infancy but for the fostering

Care of the young.

Mutual aid and protection.

Education and intellectual development.

care of their parents and other family members. Thus human life is dependent on the existence of the family, which is a type of social organisation. This was recognised by Aristotle, the Greek philosopher, who stated long ago that societies were first formed for the sake of life. Thus the necessity to provide for adequate shelter and protection, and to take care of the young would drive men to form a society. Secondly, man has to face an acute struggle for existence. He has to fight for his life, for his food, and for everything. He has to fight Nature as well as other animals and his fellow-members. He understood from the very beginning that strength lay in union. So he sought to unite with others, to form group, clans or tribes to secure the benefits of mutual aid. Rivalry between different groups helped to strengthen the bonds of union between them, and increased the sway of social institutions. Thirdly, the preparation of the young to think, to read, to know requires a longer and more intimate association than the primitive organisations. Accumulation of knowledge is extremely difficult unless men live in society. Lastly, one thing which distinguishes men from animals is the possession of reason. And reason is a great unifying element. By virtue of his reason, every man knows that he will derive a great benefit by coming in contact with a large number of people, and forming various types of social organisation like a trade union, a university.

The aim of society is to help the individuals to attain their best selves.

Purpose of Society. Societies, as Aristotle said, were formed for the sake of life. But they are maintained afterwards for the sake of good life. Thus the aim of society is to promote the good life of the members. Men can attain their best selves only in society. The accumulation and preservation of food and drink, the provisions for adequate shelter and protection,—these become comparatively easy when men cooperate with each other. As the social organisation is more advanced, the productive organisation becomes more efficient and improved. Large production of food and other materials, frees

7858

the individuals from the fear of want and material discomforts. They can then devote more attention to their intellectual development, to the practising and enjoying of fine arts, painting, music, etc. The more advanced, prosperous and refined a society becomes, the more chances will it offer to its members of intellectual advancement, of a refined and noble life, and of fullest self-realisation. The society itself will grow richer and attain a higher level with the development and enrichment of the individual minds. In a perfect society, every member will get equal opportunities to develop his powers and faculties.

A perfect society must be international.

A perfect society presupposes the development of internationalism. Just as a society will reach higher level when the individuals co-operate with each other, so in the Great Society, composed of all humanity, all nations, and the individual members of the nations should learn to co-operate with each other. Each country and every people should have equal opportunities to develop their characteristic qualities and to attain their best selves. The citizen of a modern state has no alternative but to be internationally-minded, if he is to rise above these periodic slaughters and destruction.

They are mutually interdependent.

Relation between Society and the Individual. It is easy now to understand the relation between the individual and the society. Because of the social nature of man, no individual can live apart from society. A man, as Aristotle pointed out, who likes to live alone, must be either a God or a beast. The individual is, therefore, dependent on the society for his education, maintenance, happiness and well-being. His ideas and actions are coloured by the society in which he lives. He is what the society makes him. As life becomes more complex, the necessity of living in society grows more urgent. From the early childhood to full-grown manhood, the individual needs society at every stage of his life. He cannot satisfy his material needs for food, or shelter without the co-operation of others. He cannot solve the problem of security or protection by his isolated efforts. He cannot acquire knowledge or develop his intellect, without the help of others. A man satisfies his material needs and improves intellectual and moral status with the help of society. Hence it was the practice in early societies to stress the importance of the society over the individual. The individual had no life apart from that of the family or the society.

But modern writers understand the relation between the individual and the society in a different way. A society consists of individuals. It has no life, no existence apart from that of the individuals. It simply exists for the individual, and has been organised for the latter's benefit. When a number of workers organise a trade union, that organisation exists to improve the working conditions of its members. Without trade unions, the workers may not be able to safeguard their rights, or to improve their lot. But it does not mean that the workers exist for the union. A university exists for the advancement of knowledge among the people. The people do not exist for the university. The individual is, therefore, the unit for whose benefit the society has been organised.

Thus there cannot be any opposition between the individual and the society. Individuals derive their sustenance from the society, while the society is also improved through the efforts of individuals. Each is necessary for the other, and through their mutual co-operation, the caravan of human civilisation moves on to higher goals.

CHAPTER 3

FORMS OF SOCIAL ORGANISATION

Modern society is highly complex in structure. It has evolved from a simple form to its present complex organisation. It consists of many associations, communities and institutions.

An *association* consists of a body of people who form an organisation with a common purpose. A mob also consists of a group of men. But it usually lacks an organisation, or a common purpose. It is the possession of an organisation which is the distinctive mark of an association.

The form, '*community*' is applied to a group of people who possess certain common characteristics, such as common customs and traditions etc. But a community may not always possess an organisation of its own, nor may it follow a common aim. People living in a village or town may form a community. The sikhs are a community as they possess a common religion. A community is different from an association. Both of course consists of a group of people. But an association must have an organisation and a common purpose; whereas a community need not possess these characteristics. A community may have many associations, whereas an association may consist of people belonging to different communities.

An *institution* consists of certain rules and practices, followed by a group of people, or a community. The caste system, the joint family system, the laws of inheritance are instances of institutions. An association or a community is composed of a number of men. An institution means a set of rules and practices followed by men.

Types of Society. Societies have been divided on many grounds. In the first place, societies may be classified as voluntary, or compulsory. There are certain types of society of which one is perfectly free to be a member. A worker may join a trade union if he likes. Or, he may remain outside. So a trade-union or a club is an example of a voluntary form of society. But no one can escape being a member of a family or a state. These are instances of the compulsory form of society. Secondly, some types of society are permanent, while others are temporary. The state exists at all times and is a permanent form of social organisation. A literary society may exist for a few years and may then wither away.

Types of Associations. Associations are formed with a common purpose. An individual has usually a large number of aims and purposes. For this reason, different types of associations have been formed by people all over the world. We can classify associations on the basis of their purposes or ends. Associations may be formed for biological, economic, cultural, recreational, religious, philanthropic, political and many other purposes.

The most important *biological association* is the family. It consists of a man, his wife and children and probably a number of near relations, who live together, bound by ties of love and affection. Its central purpose is the care of the young. The child is born and brought up in the family. It not only protects the baby in the helpless days of its infancy, but it also teaches the first lessons of citizenship to the child. The atmosphere of the family helps to develop the mind and the moral and spiritual ideas of the young.

Economic associations have been formed to protect and promote the economic interests of a group of people. A trade union provides a good example of such an association. It is formed by a body of workers for the purpose of protecting and improving the working conditions of the members. The employers have also formed employer's associations to promote their common economic interests. Another instance of an economic association is provided by the various vocational bodies. The Indian Medical Council, for example, is an association of doctors, formed to further the special interests of the medical profession.

A *cultural association* seeks to promote the cultural aims of a body of men. Universities, libraries, museums are instances of such cultural association. A Tagore Literary Society, formed for the purpose of the appreciation of the works of Rabindra Nath Tagore, is an instance of a cultural association.

A *philanthropic association* is formed for a particular charitable purpose, such as flood or famine relief etc. Widow's homes and orphanages are good instances of such associations.

Associations are also formed to promote the political purposes of a group of people. These are called *political associations.* A state is a political association. It has been formed for the purpose of developing the political interests of the people. The U.N.O. is such a political association. established for the purpose of maintaining world peace.

A *recreational association* is formed to provide some recreation for the members. The sports clubs are good instances of such associations. These are highly useful associations. They make life joyful and teach the virtues of discipline and team work.

Religious associations have been formed to satisfy the religious needs of the members. The church is such an association. Different sects of christians have organised different churches to cater for their religious needs. The Hindus have founded maths for this purpose.

These are some of the main types of associations. There are as many associations as there are aims and purposes in life. The richer and more varied the social life, the larger will be the number and types of associations.

CHAPTER 4

THE FAMILY

The social nature of man expresses itself through many institutions. The earliest of such institutions, in birds, beasts or human beings, is the family. A family is an association of a man, his wife or wives, his children and probably his near relations. The origin of the family is highly obscure. Suffice it to say that it existed from the earliest times in some form or other. The sex-urge brought men and women together. This association was perpetuated through the parents' natural interest in their babies. Man is born a helpless babe. If he is to grow up at all, he must be carefully tended under the fostering care of his parents. Thus the child is the centre round which family life has grown up among mankind.

Necessity of a family.

Whenever we talk of a family, we usually think that it consists of a man, his wife and children. But this form of family was not universal in all countries. The family has evolved through various stages in different countries. Families based on polyandry, when a woman marries more than one husband, are even now found among certain primitive tribes.

Different types of family.

There are two types of family. In the first type, the eldest male member is the head of the family, and exercises complete authority over other members. This is the *Patriarchal* family, so called because the eldest male was called Patriarch in ancient Rome. The Patriarch exercised absolute authority over all members and their properties. Descent was traced through the father to the children.

Patriarchal family.

But there was also another type of family during primitive societies. There the descent was traced, not through the father, but through the mother,—the matriarch. Hence such a family was known as a *Matriarchal* family. Sometimes in such families, the bridegroom left his own people and home, and entered the

Matriarchal family.

family-group to which his bride belonged. But though in these families, descent was traced through the mother, she did not exercise the same authority as the Patriarch of the Roman family.

The finding of matriarchal types of family among the primitive societies led many scholars to argue that the earliest social unit was not the patriarchal family, but the tribe or the totem-group where descent was traced through the mother. No family lived in mere isolation. The primitive men lived in kin-groups, each distinguished from the other by a characteristic symbol or *totem, i.e.,* a snake or a peacock etc. It should be noted that this type of organisation was not universally found in all parts of the world.

Though the matriarchal family is found among many tribes, the patriarchal family is the usual form in the majority of areas. The patriarchal family may take one of the two forms,—*Polygamous and monogamous family.* In a *polygamous family,* one man usually marries more than one wife. Families in India, both among Hindus and Muslims, were previously of this type. In a *monogamous family,* a man marries only one wife. This is the usual form in the western countries. It should be noted that under the stress of circumstances, the monogamous family is becoming the rule among the Hindus and Muslims in our country. Sometimes another type of family is discussed. There may be a *joint family* consisting of a man, his wife and children, and his parents, brothers and other relations. All these people live jointly in a house. This system prevailed in our country. In the western countries families are of the *single family* type, consisting of the husband, wife and the minor children.

Functions of the Family. Whatever the form of the family, there are certain important functions which are performed by the family. The most important function of a family is the care of the young. The child is the centre of the family life; round him are woven all the tender emotions of the parents and relations. The

Care of the young.

Religious functions.

Family is an economic unit.

prolonged period during which the child has to be tended evokes some of the best qualities of life in the parents. It requires infinite care and great self-sacrifice on the parts of the parents, especially of the mother, to bring up the children. Secondly, the family is a religious unit in the sense that the members belonging to one family worship in common. Thirdly, the family is also an economic factor of the first magnitude. The members of the family earn as a whole, and spend as a whole for the mutual benefit of all the inmates. Often the children learn and follow the usual profession of the family. This was the rule in our caste organisation. Children belonging to a particular caste automatically adopted the profession of their caste. The family served as a unit not only for purposes of production, but also for consumption. Lastly, families serve the most important function of educational and cultural institutions. The children learn the beginnings of education in their families. They easily learn the language, manners and customs of their families.

Family is the eternal school of citizenship.

The Role of the Family. The relations between the family and citizenship are very close. *The family is the eternal school of citizenship.* It is the most important institution where men learn their early lessons of citizenship. We have seen that citizenship is concerned with the adjustment of one's self interest and activities to the wider interests of the society of which one is a member. Life in a family teaches the first lessons of adjustment to all persons. When two or more persons live together so intimately as in a family, they have to adjust their temperaments, habits and activities to one another. If everyone did as one liked, family life would be impossible. In the family, the husband and the wife learn to adopt themselves in accordance with each other's wishes. The parents learn to adjust their behaviour according to the needs of the children. Life in a family teaches the members the necessity to organise and direct their activities with a view to promote the common good of the family. It

7858

teaches the members to respect the rights of other members of the family, and inspires in them consciousness about their obligations to the family. The family is a miniature society, and living in such a society, the members learn the first lessons of citizenship,—how to subordinate pure self-interest to the common interests of all and a sense of devotion to duties towards the society.

The Civic life begins at home. The child also learns the first lessons of citizenship in the family. It is in the family that the intellect and the emotions of the child are trained. If we study the biographies of the great men of the world, we shall at once notice the great influence which the family has exercised over their minds. The hand that rocks the cradle rules the world. This is not an idle saying. The child inevitably imbibes the ideas and opinions, hopes and aspirations of his parents. And early impressions are very hard to change. As the parents learn to sacrifice their comforts for the sake of the child, so the latter also becomes eager to sacrifice a great many of his interests for the sake of his dear parents. The family is thus the cradle of social virtues. It teaches men the virtues of love, service, and sacrifice. Here men learn to value the spirit of co-operation, tolerance, and sympathy which is indispensable in a family life. They are also taught the supreme importance of sacrificing their selfish interests for the sake of the common good.

The joint family in India. The general tendency throughout the whole world is towards monogamous families. But such families are organised on different bases in different countries. In the western countries, a family consists of a man, his wife and minor children.

But in India, a family includes, besides the above, his parents and grand-parents, uncles and brothers with their wives and children. They all live together under one roof. The eldest male member is usually regarded as the head of the family who manages the family property in trust for others. Each member works and earns according to his capacity. He contributes to the common chest and shares the good things of life in common.

The ideal joint family is like a mutual benefit society. All members of the family are properly cared for, no matter whether he is sick or unemployed, young or old. The state was, therefore, saved the trouble of providing for old age pensions, poor houses or for unemployment benefits. Secondly, as many families (according to western standards) live together, the system cheapens the cost of living. Lastly, it also fosters the virtues of self-discipline and self-sacrifice among the members.

Merits.

It has thus solved the problem of security. Everyone knows that he will be supported by other members when he becomes sick or unemployed. But the solution it has provided has given rise to grave evils. First, it has encouraged idleness among the irresponsible members and destroyed their incentive to work. It often leads to frequent quarrels among the family members. Secondly, the members who earn have as a consequence to bear an excessive burden of maintaining so many idle relations. They cannot save a substantial portion of their incomes. So *the system prevents large accumulations of capital.* It is therefore indirectly responsible for the small growth of capital in our country. Large-scale production on modern lines is impossible without large accumulations of capital. Lastly, according to the system, the family is more powerful than the individual. The latter's initiative and enterprise may not find proper scope owing to the conservative influence of the family.

Defects.

The joint family system is in the process of breaking down. The growth of individualistic spirit, and the spread of western education among men and women are gradually undermining the system.

The State and the Family. Every act of an individual has important social consequences. Hence the society has the right to step in, and control him in the common interests of all. The state is seriously concerned over the way in which the family is formed or is functioning. The relationship involved in marriage

Reasons for the control of the state.

may be very intimate and personal. But the state cannot leave the question of marriage entirely to the discretion of the individuals. The question of the future of the race depends inevitably on the institution of marriage. And the state cannot afford to be indifferent to such a question. On the other hand it is vitally interested in the task of improving the race. So it cannot leave the question of marriage entirely to the individuals. The state is also concerned with the way in which a family functions. It cannot afford to shut its eyes if it finds that the parents are not educating their children properly. It cannot see that the women or the children are ill-treated. Hence the state has to assume control over the family in many ways.

The state regulates the family.

The state exercises two kinds of control over the family, regulative and co-operative. First, the state regulates the family in many ways. It seeks to fix the minimum age of marriage, the degree of relationship within which marriage is prohibited, and the way in which marriage is to be performed. It determines the rights and liabilities of the parties to the marriage. It also seeks to fix the responsibilities of the parents towards their children. It determines the legal and political status of the different members of the family, including the women. The degree of control exercised by the state over these matters of course varies in different countries. But there is always some control over these matters in every country.

It also helps the family.

Besides regulating the form and functions of the family, the modern state also co-operates with the family in many ways. It seeks to help the family in carrying out its functions more efficiently than would be possible by its independent efforts. It takes up from the hands of the family the function of educating the children. It provides maternity homes and baby welfare clinics and exhibitions in order to ensure safe motherhood and a healthy baby. In this way the state seeks to raise the standard of family life by undertaking certain minimum functions.

The Future of the Family. According to many writers, the trend of modern development is that the family is fast disintegrating as a social unit. The family is no longer an economic unit of production. The religious sanction behind the family life is losing its hold upon the minds of the young. Many of the functions of the family are now being taken up by the state. It is educating the children and even taking steps for their upbringing. The emancipation of women and their emergence into public life are raising new problems for the family. It is said that now-a-days women are no longer willing to assume the burdens of a family life. Hence the role of the family is now becoming smaller every year and it may fast disappear as a social institution.

Is the family breaking up?

There is no doubt that the earlier bonds of unity which held the family together are snapping one by one. But that does not mean that the family is distintegrating. The springs which unite the members of a family are psychological. And so long as human being are what they are, family will continue as an important institution. In the first rush of enthusiasm, the communist government of Russia passed many regulations which tended to cut at the root of family life in that country. In fact family life seemed to be disintegrating in Russia during the early years of the revolution. But as an acute observer of Russia,—Maurice Hindus,—has noted in his book, "Mother Russia", these earlier phases have passed away, and family life is more securely established in Soviet Russia at the present moment than at any other period of history. This has happened in spite of the fact of a complete equality between men and women in every sphere of life, and an increasing performance by the state of the functions peculiar to the family. Complete emancipation of the women has not loosened the bonds of family life. In fact no family is worth having if it is based on the subjection of women. A society without the institution of the family will be a dull world. Life will then lose its savour and will scarcely be worth living. The intimate and loving atmosphere of the family sweetens and enriches life. There is no one, however modern, who will not respond instinctively to the warmth and affection of the family home.

CHAPTER 5

THE VILLAGE AND THE CITY

A citizen lives either in a village or in a city or town. He is a member of the village community or of the urban community. Hence it becomes essential for us to know something about the village and the city.

The Village. A village consists of a group of persons, residing permanently in a fixed area, and engaged mainly in agriculture and allied occupations. The population of a village is never large, and the bonds that bind the people of a village are usually stronger than those uniting the residents of a city. Cities usually contain a large population, who pursue mainly a commercial or industrial occupation.

The village is an ancient institution. When people passed from the pastoral to the agricultural stage and began to cultivate land, they settled in villages. It was around land that life in a village centred. In course of time people began to pursue other occupations, such as carpentery, smithy. Cottage industries like handloom weaving grew up to satisfy the needs of the village people. In this way the village community became the forerunner of modern civilisation.

Life in a village of ancient India was simple and vigorous. The main occupation of the people was agriculture, supplemented by cottage industries. Each village was more or less self-sufficient; bringing in very few articles from the outside world and exporting only occasional things. Land was cultivated in such a way as to meet the needs of the local population, leaving probably a small surplus to be sent to the government treasury. Land was mainly devoted to the cultivation of food crops. Money payments were absent, and goods were exchanged against goods and services. The majority of the village artisans and officers were the virtual servants of the community, exchanging their products against food and other crops in stated ratios. The affairs of the village were looked after by a *panchayat,* or a council of five elderly people, who also possessed judical powers to settle disputes.

The advent of the British rule introduced a great many changes in the village community. With the improvement in the means of transport and communication, the population of villages has become more mobile than before. The administration of the country came to be centralised, and *panchayat* system gradually died out. The result was to free the people from the influence of customs and conventions. The barter economy was replaced by money economy, and payments in money became the usual rule. This snapped many old ties. A number of factors combined to create difficulties for the cottage industries and a large number of them declined. The unemployed artisans were forced to fall back on land. The pressure of population on land increased, and land came to be sub-divided. Moreover, agriculture was no longer carried on to satisfy the needs of the village people. A world market for crops developed as crops came to be exported in large quantities. The cultivation of commercial crops like jute, cotton increased. The village lost their self-sufficient character.

In spite of these profound changes, the importance of villages in India is obvious from the fact that about 88 per cent. of her population lives in villages. The village community is a precious heritage of India. This is based on the idea of co-operation and mutual self-help. The village people usually know one another more intimately than is possible in a city. Hence they are more willing than the latter to help each other and to make sacrifices for the sake of others. Attempts are rightly being made to revive these good traits of ancient village life and to set up *panchayats* as of old.

The City. A city consists of a larger population than a village. There is also another fundamental difference between a city and a village. In a village, life revolves round land and cottage industries. In cities, the main occupation of the people is not cultivation but the pursuit of commerce and industry.

In ancient times, towns grew up round those areas where rulers and powerful nobles dwelt. Now-a-days cities grow up round industries and administrative centres.

Cities have also enjoyed some sort of local administration. They became centres of culture and recreation. It is in the cities of India like Bombay or Calcutta or Madras that the national movement for the achievement of independence first came to shape. Colleges and universities have generally been established in the cities and towns. Cities are not only the centres of education and culture, they have always been great agencies for the spread of progressive ideas in a country. Many of the reformist movements in modern India had their birth in the cities. It is well-known that unlike the villagers, the city people are less conservative and more receptive of new ideas and changes. Cities have also been places where people have flocked for recreation. It is in the cities that theatres, cinemas and other places of entertainment have been established.

The growth of cities has also given rise to important problems. In the first place, cities and towns have generally resulted in over-crowding and bad housing. This is specially true in India where cities abound in chawls and bustees. This has grave social and physical consequences. Life in a crowded, insanitary bustee ruins the health of the sturdy villager who has been pushed to the city factories in search of jobs. Secondly, cities have snapped the old ties that bound people in the villages. Life in a city is more impersonal and is lacking in fellow-feeling and neighbourliness. Cities are full of noise, hustle and over-excitement.

CHAPTER 6

THE STATE

✓

So long we have been speaking of the State. *What is the state?* When a group of people live on a definite territory and possess an independent government of their own, they form a state. "A state", as President Wilson defined it, "is a people organised for law within a definite territory."

A state therefore contains four elements, *viz.*, a group of people, a definite territory, an organised government and sovereignty. We shall discuss these four factors one by one.

(*a*) Population may be large or small.

A state is formed by a group of people. So *population* is the first factor in the formation of a state. A state without any population is unthinkable. There is no hard and fast rule as to the actual number of people necessary to form a state. There are states like Panama (in Central America) with a small population of 5 lakhs. On the other hand, there are large states like China with a population exceeding 40 crores.

(*b*) Fixed territory, large or small.

The second important factor is *territory*. The group of people who are to form a state must permanently occupy a particular territory. In early periods of history, many nomadic tribes migrated from place to place. These people did not form states. If they settled down after occupying a particular area, they would have formed a state. There is no limit as to the area that must lie within a state. Holland comprised only 12.5 thousand square miles, while the area of the United States of America is more than 3026 thousand square miles. All that is necessary is that a state must have some territory, large or small.

(c) A government obeyed by people.

The third factor is *government*. The people who live in a particular territory must possess an organised government of their own which is obeyed by the majority of people of that country. The people must obey the laws and orders passed by the government. There can be no state without a government just as there can be no boat without a rudder. Every organisation must possess a machinery for enforcing its rules and regulations. Government is the machinery of the state and without such a machinery, there can be no state.

(d) Sovereignty.

The last and the most important factor in the composition of a state is *sovereignty*. Sovereignty means the supreme authority. The possession of supreme authority over everybody in the state is the most fundamental characteristic of a state. The authority of the state must not only be supreme over everybody in the state, it must also be independent of foreign control. A people occupying a particular territory may possess a government. But if they do not possess the supreme authority to regulate their own affairs, they cannot be said to form a state. If the people are under foreign subjection, they do not form a state. The possession of this characteristic distinguishes a state from other organisations. It is the touchstone by means of which we judge whether a country is a state or not.

The state is, therefore, an association of people, occupying a particular area, possessing an organisation to enforce law and order, and exercising sovereign powers.

Is India or Pakistan a state?

We can easily find out whether a particular country is or is not a state. First of all, take the case of Pakistan or India. Pakistanis or Indians occupy a particular territory. They possess a government. They now possess sovereignty. The people possess the supreme power to regulate their own affairs. Both of them are, therefore, states.

Are the States of India states?

The States of India are not states proper, though they are called such by courtesy. These "states" occupy definite areas, and contain large populations and all the machinery of a government. But they do not possess sovereignty. They are parts of India or Pakistan. Hence they are not states.

Are the Dominions states?

The most interesting case is that of the British Dominions. There are six Dominions, *viz.,* Canada, Australia, South Africa, New Zealand, Pakistan and Ceylon. They are members of the British Commonwealth of Nations. But they are not subordinate to the British government in any aspect of their policy, domestic or foreign. Theoretically subordinate to the British Crown, they are independent for all purposes. Hence they are regarded as states.

Distinction between the state and other associations.

The State and other Associations. The state is an association of people. There are also other associations of the people. Whenever a group of people organise together for carrying out some common purpose, they form an association. The state is an association for promoting the political purposes of its members.

The state comprises a territory, associations do not.

Though the state is an association, it is quite different from other associations. First, a state comprises a definite territory. When we speak of a state, we refer to a particular area. The state of Denmark refers to the territory occupied by that state. But other associations are not confined to a particular territory. They may be formed by people living in different states. Their jurisdiction may be worldwide.

A man can be a member of many associations, but only of one state.

Secondly, an individual can be the member of only one state. He cannot belong to two states at the same time. But he may be a member of more than one association. He can be a member of a trade union, of a club, and of a literary society at the same time.

Thirdly, other associations are *voluntary* organisations. An individual may or may not join an association as he likes. But the state is a *compulsory* association of the people. An American automatically becomes a citizen of America from the moment of his birth. He cannot leave it under ordinary circumstances. But he may leave his club or literary society after giving proper notice. He may or may not join a club or a society.

3 The state is a compulsory organisation, and associations are voluntary organisations.

Fourthly, other associations are formed for the purpose of promoting a *particular* purpose or purposes. A trade union is formed for improving the working conditions of its members. But the state is formed for promoting the general purposes of citizens. The state is thus an all-embracing association. Its purpose is the promotion of the welfare of the people.

Lastly, the most fundamental difference lies in the fact that the state possesses the power of coercing its members. It can inflict any punishment even to the extent of death, upon the citizens. But other associations do not possess such coercive power. All that they can do is to inflict some fines or to expel the members.

4 The state does, and associations do not possess force.

The State and Government. People often make no distinction between the state and the government. We are in the habit of saying that the state does this or that, meaning that the government has done that. But the state and the government are quite different. One should not confuse the head with the individual. An individual possesses a head. No individual can live without a head. But the head does not comprise the whole of the individual. Similarly, the state must possess a government. No state is conceivable without a government. But the government is not a state. It is only one of the four characteristics of a state. There are countries like Malaya which possess a government. But they are not states.

Distinction between state and government.

Government is a part of the state.

Secondly, a state is formed by all the people of a country. But the government is conducted by a small number of individuals. The state of India includes millions of men. But its government consists of the President, the Cabinet and a small number of officials. The membership of a state is thus more extensive than that of the government.

State is permanent, Government is temporary.

Thirdly, the state is a permanent organisation. The governments may come and go. But the state continues in existence. When Mussolini resigned, Marshall Badoglio formed a new government. The fascist government ceased to exist. But the state of Italy continued. A change of government does not always cause a change of state.

Lastly, the government is a concrete thing. It is formed by a definite number of people. The state is, however, an abstract idea. It is a concept of political philosophy. The state is like the soul ; the government is like the body. The soul is an abstract conception of the mind while the body is a concrete thing which we can touch. The state, like the soul, never dies. It never acts. The actions are performed by the body, *i.e.*, the government.

Sovereignty. We have seen that the most fundamental mark of a state is sovereignty. In fact, it is the possession of sovereignty which distinguishes the state from other associations.

It means supreme power over all persons and independence from foreign control.

What do we exactly mean by *sovereignty*? It is the supreme authority possessed by a state over all persons and associations within the state. It means the "original, supreme and unlimited power of the state to impose its will upon all persons, associations and things within its jurisdiction." The state is thus supreme over all persons and institutions which exist within the territory occupied by the state. No member of the state can escape its jurisdiction. Its control is supreme over all citizens. Externally, sovereignty means that there is no other power outside the state which can limit its authority. The state is independent of foreign control, and is not subject to any other foreign authority.

Sovereignty is thus the absolute and unlimited power possessed by a state.

Distinction between legal and political sovereignty.

It is the usual practice to distinguish between legal and political sovereignty. *Legal sovereignty* means the supreme authority which frames and enforces the law in the state. It is the authority which is recognised by the lawyers as possessing the ultimate powers of law-making in the state. In Great Britain, for example, the legal sovereignty is possessed by the King-in-Parliament. In India it is possessed by the Constituent Assembly.

Political Sovereignty.

Political sovereignty is that authority whose will is ultimately obeyed in the state. It is thus the supreme power in the state. All persons including the legal sovereign must bow before its authority. Thus in Great Britain, though the King-in-Parliament is the legal sovereign, the political sovereignty belongs to the electorate. When the electorate once expresses its will on any question, the Parliament must pass its commands into law.

Some writers talk of *popular sovereignty.* According to them, the sovereign power ultimately belongs to the people of the country. In the last analysis the people exercise sovereign power. The legal and political sovereign must ultimately bow to its decision. The doctrine of popular sovereignty lies at the basis of modern democracy.

CHAPTER 7

ORIGIN OF THE STATE

The origin of the state is highly obscure. It has therefore attracted the attention of a large number of political philosophers. In their effort to find out the origin of the state, these writers have discussed many theories. We shall examine some of the more important of these theories, and find out how much truth is in each theory.

God created the state.

The Theory of Divine Origin. This theory was developed during the 16th century. According to this theory the state has originated from a divine source. God in his infinite wisdom created the state. The kings are the representatives of God on earth, and derive all powers as His Viceroy. The kings therefore rule by divine right. Obedience to the king is a divine injunction, and disobedience is a sin. Many ancient kings of the different states of India during the early period claimed that they were the direct descendants of the Sun or Moon or other gods.

The state is a human institution.

This theory is no longer accepted by political philosophers. The state has not been created by any Divine agency. It is a purely human institution, built up by human beings. The theory of the Divine right of kings leads to autocracy. It makes the king all-powerful over his subjects who have no rights against him. Surely God never wanted that his people should be tyrannised over by his self-appointed agents.

There is, of course, some truth in the theory. The social instinct has been planted by the Divine will in the hearts of men. This instinctive desire to live in society forms the most important factor in the growth of the state.

The Theory of Force. The theory points to force as the basis

"The state is the result of brute force."

of the state. The foundation of a state was due to the application of force by some person or tribe. A strong man brings other people under his control, and with the help of his followers, he conquers different areas. In this way he founded a state and ruled over it. A state is not only brought into existence by force, it is also maintained by force. The authority of the state is obeyed by the people because of the force at the command of the state.

Is this theory correct?

There is no doubt that in early periods force was an important element in the formation of a state. The application of force is also necessary for upholding the authority of the state. The state must punish the law-breakers by force. Otherwise there will be anarchy in the country. But it does not mean that the origin of the state is due only to force. The birth of the state was due to the operation of many factors, like kinship, religion etc. Force might have been one of these factors. But it is not the only factor, nor is it the most important factor.

Will and not force is the basis of the state.

No state is maintained purely by force. No state can exist for long by a show of mere brute force, or by the application of bayonets. In the long run such a power-state is bound to collapse unless it is backed by the will of the people or the consent of the governed. The state possesses authority because it is broad-based on the consent of the people. A govrnment may possess power. But if it is opposed by the majority of the subjects, it will be unable to enforce its laws. The force at the command of the state is ultimately derived from the will of the people. As Green, the English philosopher, pointed out long ago *"will, and not force is the basis of the state."* All governments that defy the spirit of the people are doomed to fail. Mere force cannot sustain a state for long.

The Theory of Social Contract. This theory was held by many writers between the period of sixteenth to eighteenth centuries. It is however an old theory, having been mentioned in the writings of Plato and Kautilya.

According to this theory, the origin of the state was due to a contract made by the people. In the beginning, before the state was born, people lived in "a state of nature", a sort of stateless existence when there was no authority to enforce any law. Each man lived as he liked. It was supposed to be the natural state of man. But in course of time life in such a state of nature was considered inconvenient or difficult. There was nobody to enforce order to punish wrong-doers. To escape from these difficulties, people made an agreement among themselves. This was the social contract. By this agreement people formed, and organised themselves into a state.

Origin of the state is due to a contract made by the people.

The names of three great writers are associated with this theory. Hobbes and Locke lived in England in the 17th century. The third writer was Rousseau who lived in France. According to *Hobbes,* the state of nature in which people at first lived before the birth of society was a state of anarchy. Might was right, and the hand of every man was against every other man. Life in such a state of nature was "solitary, poor, nasty, brutish and short". To escape from such intolerable conditions people made an arrangement with a person, and surrendered all their 'natural' rights to him in return for a guarantee of protection of life and property. That person was the king who possessed, therefore, absolute power over the people.

The theory of Hobbes.

The theory of *Locke* was slightly different. The state of nature was not a state of anarchy. It was one in which peace and reason prevailed. People followed some natural laws. But though Locke's state of nature was better than Hobbe's, the people were forced to give it up. There was no common authority to punish the law-breakers. In order to escape from this inconvenience people made a contract and established the state. But the people did not surrender their rights completely to the king. The king was bound to observe the terms of the contract. If he violated them people could dethrone him. In this way Locke used this theory to justify democracy.

The theory of Locke.

Rousseau's state of nature was better than even Locke's. It was an earthly paradise where equality reigned, and where none were subjects or sovereigns. But as population increased in such an ideal state, difficulties began to crop up. So the people entered into a contract whereby civil society was inaugurated. The people did not surrender their rights to anybody. They remained always sovereign.

The theory of Rousseau.

This theory was very popular during the 18th century. But it has been seriously criticised and is no longer accepted at the present moment. First, the theory is unhistorical. We do not know of a single case in which a state was formed by an agreement. Men never agreed to form a state by a contract. They were born into the state. Even the most primitive people lived in some sort of a social organisation. Man is by nature a political animal. And he has never lived except in society. The concept of a "state of nature" in which people lived is a figment of imagination.

(1) The theory is unhistorical.

Secondly, how can a people who have no idea of the state decide to form a state by contract? This presupposes that they knew of the existence of the state. So the state or at least the knowledge of the state existed beforehand.

(2) The theory is illogical.

Thirdly, according to this theory, men possessed natural rights in the "state of nature". But there can be no right without a state. If there is no authority to protect and maintain the rights of all individuals, many of them will not be able to enjoy any right. Then weak persons will have no rights against the strong. No right can exist unless the state exists.

(3) Rights cannot exist in the state of nature.

Lastly, the theory has been criticised as being dangerous. It encourages the people to rebel against the government whenever they disagree with the latter. That way lies anarchy.

(4) It is dangerous.

Whatever the defects of the theory, it contains a good deal of truth, and served a very useful purpose. It destroyed the theories of Divine Right and of Force. It points to the most important fact that, whatever the origin of the state, its basis is the will or the consent of the people. It has thus laid the foundation of modern democracy.

Truth in the theory.

The Modern Theory. The state is not a Divine institution. It has not been created by God. It is a purely human organisation, formed and worked by ordinary men like us. But though it is a human institution, it has not been deliberately created by men. The state has not been brought into existence by means of a social contract. It has been always with us. There was never a time when men lived without a state. That is not possible. Man is by nature a political animal. He cannot live except in society. This social nature of man drove him to live in families, the earliest type of social organisation. The same necessity drove different families to form a clan, and different clans to form a tribe. The tribe expanded in course of time, and formed a state. The state has, therefore, come into existence as the result of natural evolution. Families, clans, tribes, and the state,—this is the process through which the state has evolved. From crude and imperfect beginnings, the state has come to assume the present mighty structure.

Process of evolution of the state.

Family. The earliest social organisation is the family. It is a social unit consisting of one or more men who live together along with their wives and children. These men who live together are generally very near relations. The sex-urge as well as the necessity to protect the young have led to the formation of families.

Clan. The earliest social organisation is thus the family. But the social nature of man did not stop with the formation of the family. The sex-urge which united the male and the female, also led to the union of different families. Whatever the origin of the custom, the prohibition to marry within one's family is very

Families united into clans.

widespread. Hence a young man must find another woman outside his family to be his wife. In this way webs of blood-relationship united different families. A group of such families is called a *clan*. The different clans were strong influences holding men together, and inspiring them with a social purpose. They taught the people to look beyond their selfish interests, and to subordinate their personal interests to those of the group.

Tribe. Just as different families united together to form clans, so the same social tendency led to the union of several clans under a chief or chiefs. This union of clans was called a tribe. The members of the tribe obey the rule of the chief. Thus this social form contains the beginnings of political organisation.

A group of clans formed a tribe.

In course of time, tribes settled on, and occupied definite territories. The tribal chief increased his sway over the people. Slowly and steadily the state came into existence in its modern form. Thus it has grown from crude and imperfect beginnings to its present stage.

From tribes we come to the state.

Factors in the Development of the State. If we study the evolution of the state, we shall find certain important factors which have helped its development. These are kinship, religion, economic causes, forces, the need for order and protection, etc.

Kinship is one of the most fundamental forces in state-building. Kinship means the recognition of blood-relationship. The ties of blood-relationship bound together the different people and families. As successive generations increased the number of persons, they remained united together because of the sense of kinship. Families multiplied and formed a clan. The members of a clan remained united through their sense of kinship. Clans united together under a chief and formed a tribe. The authority of the father passed into the authority of the chief. In this way, kinship created the earliest society, and society created the state.

Kinship knits the people closely.

Next to kinship, religion was perhaps the most important bond which knit the people closely. It exercised great influence over the minds of the people. It taught them reverence and the spirit of obedience. The powers of the chief were obeyed more readily because it was supposed that he had Divine sanction behind him. The authority of the father was obeyed not only because of blood-relationship, but also because such obedience was a religious duty. In this way, the fierce and savage people learnt, through religion, the virtues of obedience to authority. The early laws were obeyed more willingly because they were supposed to be Divine commands. Religion thus paved the way to the evolution of the state.

Religion taught obedience to the people.

The next factor of importance was economic causes. The necessity to find food and shelter, and to satisfy the elementary physical needs led the people to combine together. Aristotle pointed out long ago that it was the desire to reach self-sufficiency as regards the material needs of life that led to the expansion of the family into a tribe, a village and ultimately the state. Economic causes have been powerful factors in the building up of the organisation of the state.

Economic causes.

The need for order and protection arose with the growth of wealth in the country. When people settled down in a place and amassed riches, a need was felt for the protection of the life and properties of the peaceful subjects. As different tribes quarelled with one another, it became necessary to protect a tribe from hostile attacks. There must be some authority to organise the tribe. Strifes and wars provide great bonds of union. The people had to organise themselves carefully to meet all possible foreign attacks. The powers of the chief increased in proportion. He organised the people so as to protect them from foreign aggression and also to maintain order within his territory. Thus the need for order and protection led to the emergence of a strong government in the country.

The need for order and protection led to the use of force, and to a political organisation.

These and other factors combined together and contributed to the formation of the modern state.

Organic Theory. This theory discusses the nature of the state and the relation of the individual to the state. This is, The state is a living organised unity, not a lifeless instrument.

moveover, one of the oldest theories. A comparison of the state with the human body can be found in the writings of Plato and Aristotle. Among modern writers, Bluntschli, the German philosopher, and Herbert Spencer, the English writer, are strong advocates of this theory.

The state is like a human body.

According to this theory, the state is not a lifeless instrument. It is not a mere association of individuals. The state is like a living anmial organism. There are striking points of similarity between the state and a human body. A human body is composed of cells, each of which performs a different function. Each cell contributes something to the development of the whole body. The state is also composed of individuals, each of whom performs a different function. As the body develops, it branches off into different organs. It develops hands, legs, mouth and other organs. The state also develops different departments. For example, in the case of a human body, the nervous system regulates the movements of all parts. In the case of the state, the government regulates the activities of parts. Bluntschli went further, and attributed sexual qualities to the state. According to him, the state was a masculine being.

There is no doubt that many similiarities exist between the state and the human body. But the similarities are not complete in every detail. When a cell is cut off from the body, it dies. But when an individual is cut off from a state, he does not die. Secondly, cells do not possess any independent will. They cannot regulate or modify the course of their development. But individuals possess free will of their own. They can modify or regulate their lives by their own will and effort. The cells are mechanical pieces of matter. Individuals are not mechanical instruments. They possess intelligence and will. The analogy between the state and an organism is not, therefore, perfect. Lastly, the theory seeks to imply that like cells, the individuals are entirely dependent on the state for their existence and growth. This is not correct. The state exists to promote the welfare of the individuals.

CHAPTER 8

NATION AND THE STATE

In this chapter we shall discuss one of the most burning problems of the modern world. During and after the first Great War, it was considered essential that every nation should be free to form its own government. During the second world war, some writers expressed the view that the principle of nationality did not provide a satisfactory basis of modern states. Since this problem affects many people vitally, it is necessary to discuss it at this place.

Distinction between nation and state.

Nation. What is a nation? A nation is a community of people, occupying a particular territory, and possessing certain common characteristics, *viz.*, a common racial origin, a common religion, a common language and literature, common customs and civilisation, and a separate political organisation of its own. If we study this definition, we shall find that the nation and the state possess certain common features. The state, like the nation, consists of a community of people occupying a definite territory, and possessing a separate and independent government. But here the similarity ends. The state excludes some important items that are included in the definition of a nation. A nation means a group of people united together by their common racial origin, common language, etc. The possession of these common features is not necessary to constitute a state.

When we talk of the state, we usually refer to the sovereign organisation of a group of people. When we talk of the nation, we refer to the certain characteristics of the people,—their common race, language, religion, civilisation, etc. All nations have not yet been organised into separate states. Indians were deprived of their statehood before 15th August, 1947. Conversely, all states have not been formed by one nation. Belgium contains two nationalities. Switzerland contains at least three nationalities.

Nationality. We shall introduce another term,—nationality. Many writers use the words, nation and nationality, in the same sense. They talk indiscriminately of a nation, or of a nationality. But there is a distinction between the two words.

Distinction between nation and nationality.

Nationality is the spiritual sentiment of unity which exists among a group of people, possessing many common characteristics, *viz.*, a common race, language, religion, etc. It refers, therefore, to the identities of race, religion, language, customs and traditions. If a group of people possess these common characteristics, they constitute a nationality.

But in order to constitute a nation, the people must possess, in addition to the identities of race, religion, etc., a political organisation of their own, "independent, or desiring to be independent." Thus a nation is a nationality *plus* an independent political organisation. When we talk of a nationality, we refer only to the common characteristics of the people, *i.e.*, to their common racial origin, common religion or customs, etc. In the case of a nation, we refer both to the common characteristics and a political organisation.

Elements of Nationality. The term, nationality, refers to a group of people who are united together by certain common characteristics, *viz.*, a common race, religion, language, customs and traditions, etc. Are all these elements essential to constitute a nationality?

A *common racial origin* is often regarded as the foundation of nationality. People who spring from the same race, or believe that they belong to one race are likely to possess a greater sense of unity than others belonging to different races. A common racial origin helps the growth of a feeling of nationality. This is no doubt true. But different races of the world have become inter-mixed in such a way that no people exist who can claim to belong to only one race. Moreover, the feeling of nationality has grown up among many people in spite of the fact that they have sprung up from different races. Indians are composed of many races. But the

Common race.

feeling of nationality is very strong among them. So this condition is not essential to constitute a nationality.

Common religion.

A *common religion* has sometimes fostered the growth of nationality. Differences in religion had often stood in the way national unity as in India. But with the growth in the feeling of religious toleration, the presence of this condition is not essential to constitute a nationality. The feeling of nationality has grown up in spite of religious differences as among the Chinese, or the Burmese.

Common language and literature.

A *common language* and literature are important influences in the formation of a nationality. A people who talk the same language and read the same literature are likely to feel a strong sense of unity. But even this condition is not essential. There are many countries where the people have developed a strong feeling of nationality though they talk different languages. The Swiss people talk three languages. The Indians talk many languages. But this has not stood in the way of the growth of their national unity.

Common customs.

Common customs and *traditions* are often regarded as the supreme test of nationhood. A people possessing a common history, common traditions and customs will be drawn towards each other. These will blend the people into one nationality. There is no doubt that these are more important than the former elements in constituting a nationality. But they are also not essential. Customs and traditions may differ among different people. But the sentiment of unity may nevertheless outgrow these differences.

Nationality is a spiritual sentiment.

None of these elements is, therefore, essential to constitute a nationality. *Nationality is a spiritual sentiment which may grow in spite of all outward differences of race, religion, language, etc.* The presence of all these elements, or any one of them may help in the growth of this feeling. But in spite of their absence, a people may be converted into a nationality when it begins to feel that it is a nationality.

Nationality and India. The question then naturally arises, *do Indians form a nationality?* A nationality is a group of people united together by some common characteristics. Do these characteristics exist in the case of India?

Chief factors retarding the growth of Indian nationality.

Common race and religion, common language and literature do not exist in India. The people of India belong to many races. They speak many languages. A Madrasi will find it difficult to make him understood to the common people of West Bengal. The religious differences were until recently very acute. Political and economic causes accentuated the differences between the Hindus and the Moslems. The customs and traditions are different in different parts of the country, and among different classes of the people. Hence none of the conditions which constitute a nationality are present in India. Many people, therefore, argued that India was not a nation.

Common traditions, common subjection, common administration and education are moulding this nation.

But the feeling of nationality may develop in spite of the absence of all the common characteristics. This has happened in the case of other nations, *e.g.*, the Swiss people, the Americans. And this has happened in India. All disinterested observers will find that beneath the differences of race, religion and language, India exhibits a certain fundamental unity. The Swiss people belong to many races. But common subjection to a foreign rule has moulded them into one nation. In India too, common subjection to a foreign government, and the memories of common oppression have moulded all these people into one nationality. The establishment of a uniform system of administration in the whole country and a common system of education are developing an identity of ideas and aspirations. All these are drawing the different communities closer to one another. The Hindu-Moslem differences are a passing phase. Religion has nowhere stood in the path of the unity of a nation. Nationality is a spiritual sentiment, and this feeling exists in India. Indians have begun to feel that they constitute a nation, no less exalted than other nations of the world, with a rich past and a glorious future.

One Nation, One State. One of the outstanding theories current during the first world war was that every distinct nationality should form a separate state. A state should consist only of one nationality. States which consist of many nationalities should be reorganised on this basis. Every nationality should have the right to determine the form of government under which it would live. If it decides to live along with other nations in one state, well and good. But if it decides to form a separate and independent government of its own, it should have the right to do so. Hence this principle is also known as the *right of self-determination of nations.* It formed one of the fourteen points stated by President Wilson during the first world war.

Should one nation form one state?

There are, of course, many things to be said in favour of this principle. If a state consists of many nationalities, the peace of the country may be broken by bitter racial or communal quarrels. There may be mutual jealousies among different nationalities. These defects can be avoided if a state consists of one nationality. No nationality would have to waste its efforts in quarrels with other communities in the state. It will be able to give its full attention to the development of its culture. Secondly, if one nationality forms one state, the weaker nationalities will not be exploited by the strong races. The oppressed races will get their freedom.

Is nationality a satisfactory basis of modern states?

There are many critics who oppose this principle. According to them, when many nationalities live within the borders of one state, there will be free mixing of races and communities. This will invigorate all races, and enrich their cultures. Each will gain something by coming in contact with other races and cultures. Secondly, there are practical difficulties in carrying out this principle. Different nationalities are often so mixed together that it is impossible to organise separate states for each nationality. For example, many Germans lived in

Free mixture of nationalities is beneficial.

Czecho-Slovakia. When, after the first world war, that country was organised into a state, these Germans were left in Czecho-Slovakia. This led subsequently to serious troubles when Hitler came to power.

Lastly, if this principle is to be carried out fully it will lead to the disruption of many states. Switzerland will be split up into three states, Belgium into two. It would be difficult to maintain peace among so many small states.

Hence the principle of nationality does not always furnish a satisfactory basis for modern states. The small nationalities will often gain by remaining in a state consisting of many nationalities. All that a nationaltty can claim as a matter of right is that it should be allowed freely to develop its language, religion, culture and civilisation.

The rights of nationalities.

Rights of Nationalities. Nationalities do not, therefore, possess an inherent right to form separate states. That is not always a desirable ideal. Free mixing of nationalities in one state is often beneficial to humanity. All that the different nationalities can claim, when they live in a state composed of many nationalities, is that they should be allowed freely to enjoy their rights. These are political equality, or equal political rights as are granted for the development of their own religion, language and culture, and the right to an equitable share in all public grants for different purposes. Every nationality should be granted the right to vote, the right to hold public offices equally with other nationalities in the state. It should be free to adopt measures for developing its own culture and civilisation. free to follow its own religion and perform different religious practices. It should be allowed to get its children educated through the medium of its own language. The state should open sufficient number of schools or provide ample facilities in existing schools for this purpose. Public funds spent on education and for religious or charitable purposes should be distributed equitably among all nationalities.

CHAPTER 9

FUNCTIONS OF THE STATE

What are the functions a state should discharge? Opinion on this point is not unanimous. There are at least two theories regarding the scope of the activities of the state. There are people who think that the functions of the state should be very much restricted. This group of people are called 'individualists.' On the other hand, there are people, in whose opinion, the state should perform all kinds of functions and *concern itself with every aspect of the life of the citizens in order to increase their well-being.* This theory is known as socialism. It is necessary, therefore, to examine the truth or otherwise of these theories before we can form a correct opinion about the proper scope of state activities.

Individualism or Laissez Faire Theory. According to this theory, the functions of the state should be restricted to the absolute minimum. Two questions then arise,—why should the functions be restricted? And what should be the absolute minimum of functions?

There are several reasons, according to the individualists, for restricting the functions of the state. First, the state, according to the individualists, is an evil institution. But though an evil, it is a necessary organisation. Man is imperfect and extremely selfish; therefore crime exists in modern society. The existence of the state is necessary for preventing crimes, and for protecting the life and property of citizens. But since the state is an evil, the smaller its functions, the better for everybody.

The state is an evil. (1)

The individual knows his interests more than the state.

(2) Secondly, every individual knows what is best for him and his self-interest will drive him to do these things. He should, therefore, be left free to develop his abilities as best as he could. If the state interferes in his activities, it would retard the development of his character. If the state does everything for him, he will come to rely more on the state, and will cease to exert himself. He will be like the boy whose parents do everything for him, leaving no initiative to him in any matter. His abilities will remain

undeveloped. That is why this theory is also known as the *Laissez Faire* (or "leave alone") theory.

(3) Lastly, it is said that in the economic sphere also, the functions of the state should be restricted. Trade and industry will increase in a country where there is full competition, and where the government does not interfere with the working of free competition. Adam Smith the father of modern economic theory, was the strongest advocate of this theory.

The state should only keep law and order.

The second question,—what should be the minimum of state functions—has already been answered. The function of the state is merely to prevent crimes, and to protect the life and property of its citizens. Just as a referee in a football game does not take an active part in the game, but merely looks to the fact that the game is carried on according to the rules, so the state should not take an active part in the competitive struggle, but should leave the field free for the players to fight it out among themselves. If the world were a stage, the state should be the stage-manager, but not the principal actor. The acting should be left to the citizens. The state's business is only to see that the stage has been properly set and the acting is correctly done. More than that the state should not perform. The individualists, therefore, do not like the idea that the state should pass factory laws, or introduce compulsory primary education, or manage schools and colleges, etc. The maintenance of law and order within the state and its protection against foreign attack should be the only functions of the state.

Criticism. The theory had very distinguished advocates in the latter part of the 18th century and in the 19th century. But it has been criticised on many grounds.

The state is not an evil.

First, it is not correct to say that the state is an evil. On the other hand, it is a highly beneficial institution. On many occasions, the state has promoted the development of the character of individuals, and has increased the well-being of the community. There is no reason, therefore, why the functions of the state should be restricted to mere police-work.

The individual does not always know his interests.

Secondly, it is argued that the individual is not always the best judge of his own interest. The vast majority of people are often ignorant and careless. It is well-known that if the clothes of a cholera patient are washed in a tank, the water will be polluted, and anybody who drinks that water is likely to get cholera. But the ignorant villagers of India do not hesitate to do this. The cultivator would not always send his children to the school, even though education is absolutely necessary for all. It is the duty of the state to interfere on such occasions and protect people from the consequences of their ignorance and helplessness.

Competition has given rise to many evils.

Thirdly, even in the economic sphere, the state has many functions to perform. To talk of free competition between the rich employer and the poor labourer is meaningless. If competition is to be free, it must be between persons possessed of equal strength. Unrestricted competition tends to depress the poor and the helpless. It leads to the growth of monopolies. The state has the right to protect poor workers, and ensure equality of opportunity for all.

The theory of individualism cannot be carried out in practice. If it is to be strictly carried out, the state, for example, would have to close down all hospitals and dispensaries run by it. The moral conscience of humanity would revolt against such a practice.

Socialism. The socialists, on the other hand, would not restrict the functions of the state to narrow limits. In their opinion, the state should undertake all kinds of functions that are necessary to further the well-being of the citizens. This aim cannot be achieved by leaving the citizens alone as is supposed by the individualists. On the contrary, the state should concern itself with every aspect of the national life instead of merely standing guard as a policeman.

According to the socialists, private ownership of land and capital should be abolished. The state should own all means of production, especially land and capital. Industries are not to be managed by private businessmen for the purpose of earning profits, as is done under the present system. The state should manage the industries, not to earn profits, but to promote the welfare of the people. The national income of a country should not be distributed according to the existing methods. Under the present system, while only a few are rich, the vast majority of people are poor. It is the function of the state to see that the total income is distributed more equitably among the people so that each individual receives his due share of the income in proportion to his labour or efficiency in production.

What is socialism?

The following arguments are advanced in favour of socialism. First, the socialistic theory is free from the defects of the individualistic theory. The state is not an evil; it is an agent for doing supreme good to the community. The individual does not always know his interest best. The state has often to force him to do what is best for him. Unrestricted competition in the economic sphere has given rise to many defects which it is the duty of the state to remedy.

Arguments for socialism.

Secondly, the socialists point out the evils of the present social system. Incomes are distributed very unequally. The masses are extremely poor. The labouring men do not always receive the fruits of their toil. The major portion of the total income is taken away by capitalists and landlords. Private property in land and capital should, therefore, be abolished. Steps should be taken to distribute the entire national income more equally among the people.

Thirdly, the theory of socialism secures justice among men. Land is a free gift of nature, and justice requires that it should be owned by all instead of by some private landlords. The toiling mass of peasants and labourers who produce the goods by the sweat of their brow should enjoy the fruits of their labour, and the capitalists should not be allowed to take away the lion's share of the produce.

State socialism.

Guild socialism.

Syndicalism.

Different kinds of Socialism. There are many forms of socialism *viz.*, state socialism, guild socialism, syndicalism. The state socialists do not believe in violent revolutions. In their opinion, the state should assume control over the means of production by peaceful methods. Guild socialists do not believe in state control. The workers of each industry should be organised into guilds or unions. These guilds should be entrusted with the management of industries. But the rights of ownership shall vest in the state. The *Syndicalists* advocate the organisation of industry purely from the standpoint of the producers. Workers' Association or the Soviet of workers in each trade should take over the control of the means of production.

Communism.

Communism is different from socialism. The communists advocate armed revolution by the working classes so as to transform the character of the state. The socialists favour peaceful methods. The communistic ideal is that everybody should work according to his ability, and should be paid according to his needs. Communism goes further than socialism which wants collective ownership of the means of production and would not completely abolish private wealth or individual saving.

Socialism will destroy the incentive to work.

Criticism. The great defect of socialism is that it overestimates the capacity of the state. The state acts through the government and the government consists of officials. The salaried officers of the government may not prove to be as efficient in the conduct of industries as private businessmen. They would not have the same incentive to manage a business efficiently. Every entrepreneur knows that if the business fails on account of his negligence, he will have to bear the loss. So he works hard to make his business successful. If the business prospers, he will be able to enjoy all the profits. But a salaried public official will not feel the same urge to work hard. He will not get any profit. Hence productive efficiency may suffer under socialism. Lastly, socialism will curtail the liberty of the individual. He will have to follow numerous regulations at every step.

A number of states now follows a full-fledged socialistic policy. Modern states now steer a middle course. They do not follow either individualist or socialist policy. The modern state is not a mere police-state, maintaining only law and order. It concerns itself with a great many functions with a view to promoting the welfare of the people. It is ready to undertake all types of activities if that becomes necessary for the well-being of the entire body of citizens.

The modern states follow a middle course.

Functions of the Government. The functions of the modern state are not confined only to the maintenance of law and order. Neither should the state own and manage all factors of production. The modern state follows a middle course, and takes up only those functions which are necessary for promoting the collective welfare of the community.

These functions can be divided into two broad classes, *viz.*, essential or constituent functions and ministrant or optional functions.

(A) **The essential or constituent functions** are those that must be performed by the state if it is to preserve its existence.

These are the following:—

(*i*) *Defending the country against foreign attack.* For this the state must maintain an army, a navy and an air force sufficient to protect it from foreign aggression. Secondly, the state must maintain a "foreign affairs department," to protect its international rights and communicate with other states.

Defence of the country.

(*ii*) *Preservation of internal peace and order.* The necessity of such a function is obvious. A country cannot make any progress if there is internal disturbance, and the life and property of the people are insecure. The state must, therefore, maintain sufficient force to protect the life and property of the subjects from violence and robbery, to punish all criminals, and to prevent the occurrence of riots and disturbances. Secondly, the state must organise

Maintenance of law and order.

an efficient and honest judiciary to administer justice to the people, and to enable each man to enjoy his rights without interference from others.

(B) **Ministrant or Optional Functions.** It is not essential that the state must perform these functions in order to maintain its existence. But every modern state undertakes many of these functions because they are necessary for promoting the moral and material welfare of the community. But it should be noted that according to the individualists, the state should not take up these functions.

These are the following:—

(*i*) *Promotion of education.* The modern state provides for the education of its citizens. Unless the citizens are properly educated, they will not be able to discharge their civic duties efficiently. Previously, education was left to private enterprise. But now states start, and support schools, colleges, universities, museums, libraries, art galleries, etc., in order to educate the people.

(*ii*) *Public health and medical relief.* States now recognise it as their duty to take measures for the protection of public health and establishment of centres of medical relief. They establish and support hospitals, dispensaries, medical institutions, etc.

(*iii*) *Regulation of trade and industry.* The state regulates the currency and coinage of the country, and exercises supervision over the banking institutions. It regulates the growth of industries by means of its tariff policy.

(*iv*) *Protection of factory labour.* Modern governments have passed many laws fixing the hours of labour and other conditions of work in factories. It supports the workers in sickness or unemployment by giving them financial aid and provides other forms of social security for labour.

(*v*) *Care of the poor and the old.* The state maintains poor houses to support the poor people. Many modern states pay old age pensions to help the aged.

(*vi*) *Construction of Public works.* States have constructed roads, railways or irrigation works, etc. They maintain the public utility services like Posts and Telegraph Offices, Railways, Telephone Companies, etc.

In addition, it is now being increasingly recognised that the state should assume responsibility for curing unemployment and taking suitable measures so that everybody may secure a job. Modern states should aim at maintaining full employment within the country.

Not easily one — by [illegible] giving but wrongful.

CHAPTER 10

THE STATE IN RELATION TO INDUSTRY AND SOCIAL SERVICES

The State and Industries: What should be the relation between the state and the industries of the country? Should the state leave the industries alone without controlling them in any way? Or should it control the industries?

Laissez faire.

Non-Interference: There were a group of political thinkers in the 19th century who expressed the opinion that the state should not exercise any control over the industries. They were known as the individualists. According to them, the state should confine itself only to the task of maintaining peace and order within the country and of protecting the people against external attacks. In the economic sphere, the state should not interfere in any way with the working of the economic system of the country. If businessmen are left free, they will establish those industries where they see the chance of earning maximum profits. So production will increase, and business will prosper. If, however, the state interferes in any way in the operation of industries, it will only bring disaster. The state means the government, and the government means the officials. Public servants do not usually possess any knowledge about running businesses, and if they take up the function of controlling industries, they will not be able to manage these businesses as efficiently as the businessmen. Hence production will suffer. The best thing for the state is to abstain from controlling the industries.

Evils of Laissez faire.

Very few people now accept these statements. The state is no longer regarded as an evil organisation. On the other hand, it is the most important agency for the promotion of the welfare of the citizens. It is now considered to be the duty of the state to concern itself with the well-being of its citizens. The modern state, therefore, exercises such control over industries as is necessary for promoting the well-being of the citizens. During a period in the 19th century, the state left industries and businessmen alone. The control over the industries was reduced to the minimum. The result was so unfortunate that there was a reaction against the individualist policy, and the state began to exercise greater control over industries. The first reaction against the theory of individualism came on behalf of the labourers. Free competition among industries led to the exploitation of labour. Workers were paid very low wages, and children were exploited ruthlessly. The state had, therefore, to pass labour legislation to protect the interests of the working classes. There is no alternative for the modern state but to exercise as much control over industries as is necessary for the welfare of the citizens.

Should the state manage all industries?

That does not, however, mean that the state should itself own and manage all the industries of the country. The socialists who advocate such a policy overestimate the capacity of the state. As we have stated, the state means in the ultimate analysis of the public officials, and management of all industries by the officials, be as efficient as that by private enterprise. To leave private enterprise alone is certainly undesirable. But to suppress private enterprise completely may give rise to other evils. The question whether the state should own and manage all industries should be decided on the merits of each case. It may be necessary for the state to take over certain industries and to leave others to private enterprise. It all depends on each particular case. Before deciding to take over an industry under its own management, the state should consider the following question, whether such a step would best promote the well-being of the citizens. If the answer is in the affirmative, the state should take over that industry.

Modern views.

The modern state, therefore, exercises control over industries. The extent of control may be different in different countries, and it has taken many forms. In every country, the state has passed laws for protecting the interests of labour and for improving their standard of living. The state has passed laws for fixing the minimum wages of labour to be paid by the industries. It has laid down regulations for improving the working conditions in the factories. It has set up machineries for the settlement of disputes between labour and capital. It has recently introduced schemes of social security under which the workers receive proper medical treatment and cash payments during sickness, receive pensions in old age, cash doles during periods of unemployment etc. The state has thus interfered with the working of industries in order to improve the standard of living of the workers.

A second way in which the state is exercising control over the industries is through the grant of protection. The state grants protection to the young industries of the country against foreign competition. If necessary, it grants suitable subsidies to certain industries which are unable to develop without such aid.

Thirdly, the modern state decides the places or areas where factories are to be established, the way in which factories are to be organised, and controls the investments to be made in different industries. Sometimes it goes so far as to fix the prices at which the products of a particular industry are to be sold in the market and to limit their profits. The control exercised by the state over industries is thus almost all-pervasive.

Lastly, if the state thinks that mere control is not enough to ensure the well-being of the citizens, it may decide to take over the management of the industry. The state already owns and manages such industries as the post and telegraphs, the railways, generation of electricity etc.

Social Services and the State. Social services consist of those activities which seek to promote the welfare of the people living in a society. A brief enumeration of such services will make their meaning quite clear. Social services include the provision of education, maintenance of public health and provision of medical relief, provision of measures of social security like old age pensions, sickness insurance, unemployment benefits etc. These services are meant to improve the living conditions of the common man and to safeguard him against ignorance, disease, poverty, unemployment and other risks of life. Their main aim is to make the life of the citizens happy and comfortable, and to raise the moral and intellectual levels of the people of the country.

Such social services may be provided entirely by the voluntary efforts of a group of people. In that case they are to be regarded as voluntary. In some other instances though these services may be run by the voluntary efforts of the people, they may be subsidised by the state. The state may provide some financial help towards meeting the cost of these services, leaving their management to private hands. These are regarded as state-aided social services. Many of the private schools and colleges of our country are of this type. They have been established and are now run by private bodies with the state giving them grants-in-aid. Thirdly, some social services may be controlled in various ways by the state, though run by private bodies. To this class belong such services as the provision of electric supply etc. Lastly, the state may itself undertake to provide a number of social services like the payment of unemployment benefits and of the old age pensions etc. These are state-managed social services. Thus social services have been classified on the basis of the degree of interest undertaken by the state.

Extent of State Control: Should the state undertake the provision of the social services, or should it leave such services alone? In the 19th century a group of thinkers known as the individualists expressed their opinion that the state should not undertake any of these services. It should, on the other hand, confine itself solely to the task of protecting the citizens both inside and outside the country. The task of the state was conceived to be to maintain law and order, and to guard against the dangers of foreign attacks. The provision of social services ought to be left to private enterprise.

The theory of individualism was, however, attacked from many sides. The state is not a mere police-state : it is an organisation formed for furthering the welfare of the citizens. The modern state concerns itself with all aspects of the life of a citizen, and seeks to adopt all steps necessary for promoting the moral and material well-being of the people. The modern state is a service-state, and takes an active interest in providing the various social services for fighting the evils of ignorance, poverty and ill-health.

Apart from this change of attitude regarding the proper functions of the state, there are also other reasons why the state should assume a more active role in the provision of social services. Though private agencies played a notable role in providing the social services, the vastness of the task and the complexities of the problem have given rise to various difficulties. In the first place, the magnitude of the task has assumed such proportions that private agencies are finding it impossible to cope with the task. Secondly, they are also unable to meet the necessary financial costs. Lastly, though the work of the private agencies is creditable, it is not enough to provide these services on the scale considered as the absolute minimum by the enlightened opinion of the country. Hence the modern state has no alternative but to take an active interest in providing the social services.

The State and Education: Of social services, the provision of education is perhaps one of the most important. If a citizen is to perform his functions efficiently he must be properly educated. Educated cultivates his intellectual faculties, enriches his personality and promotes the social good.

In the past, however, the state did not consider its duty to make education widespread among the people. Schools and colleges were established and maintained mainly by the religious institutions and to some extent by private agencies. This was of course natural at a time when only a few people exercised political power. Education was also regarded as the privilege of the few. But ideas changed with the onward march of democracy. As power was transferred ultimately to the masses, it was felt that education should also be widespread. Democracy cannot be worked successfully unless the masses are properly educated. It is now admitted by everybody that the state should take steps for the spread of education among the people. It is the primary duty of the state which cannot be left to any private enterprise. This has been recognised in the new Indian constitution where an article in the chapter on the Directive Principles of State Policy lay it down that the various governments must provide for the free and compulsory education of all children up to the age of 14 within a period of ten years from the inauguration of the constitution. Whatever the contributions of private agencies in this respect,—and they are certainly very important,—they are not capable of completing this immense task of educating 35 crores of people. That function must be assumed by the state.

The state is, therefore, taking a very large part in fostering education among the people. It has started and is managing a large number of schools, colleges and universities in different parts of the country. In addition, it gives large sums of money as grants-in-aid to private educational institutions. The state has also established research institutes, technological and vocational institutes, libraries, museums, art schools and various other educational institutions. The expenditure of the state on education is increasing and forms a large part of the total budget of the country. The state is also training up teachers to raise the standard of teaching.

The State and Public Health: As in the case of education, the state did not take much interest in the public health of the country. Keeping good health was regarded as the duty of each individual citizen, who was also supposed to take adequate steps for medical treatment if he fell sick. True to the cencept of a police state, the state did not consider its duty to interfere in any way in the matter. Individuals were left to their own devices. The result was much suffering among the poor who could not afford to spend money in medical treatment. Knowledge about public health and sanitation was also meagre. Not only the poor, but the rich also suffered on account of their ignorance of the simple rules of health. There were of course a number of charitably-minded individuals who spent a lot of their time and money in providing medical relief to the poor. But however laudable their services were, they were completely inadequate to mitigate suffering or to promote good health.

Our ideas have changed considerably in this respect. If citizenship is a quest for good life, health must come first. Unless one's health is good, one can scarcely be a good citizen. Maintenance of good health cannot be regarded as the private affair of citizens. The state is very much interested in having a body of healthy citizens in the state. That is necessary for the defence of the country as weaklings or sick persons cannot form an efficient army. The modern state considers it to be its duty to promote the well-being of all citizens, and the basis of such well-being is the health of the people. As such, the state has the responsibility of ensuring that the citizens have good health. The state cannot, for example, remain indifferent if infectious diseases are spreading throughout the country.

The modern state has to undertake two-fold functions in relation to the public health of the country. First, it has adopted a number of preventive measures for safeguarding the public health. It has taken steps to disseminate the knowledge of hygiene among the citizens. The various local bodies have undertaken to supply pure drinking water, to provide free vaccination and inoculation services for the people, to construct good drains and to make proper sanitary arrangements. They have also framed building regulations to prevent overcrowding. The state has also established medical schools and colleges and nursing institutions to train up doctors and nurses.

The state has also adopted measures to provide for the medical treatment of the sick. It establishes and maintains hospitals, dispensaries, sanatoria etc., where medical treatment for the sick may be provided.

Some of the more advanced modern states have introduced nation-wide free medical treatment for the people.

The State and Social Security: In recent times many states have adopted measures to provide what is called social security for the masses. The expression, social security, means the provision of security to the people against the common risks of life, such as sickness, unemployment, old age etc. Schemes of social security aim at guaranteeing a certain minimum standard of living to all citizens. Under a scheme of social security, the state undertakes to provide free medical treatment to all persons who are sick or to all women who are expecting babies. It also pays a certain sum of money to all such persons during periods of sickness or of delivery. It undertakes to pay doles to the unemployed, pensions to the old people, and to the widows and orphans, and to those who have been disabled by accident or disease, and to pay the funeral expenses. The scheme thus aims at safeguarding the citizens against the common contingencies of life. The money that is necessary to finance these schemes is collected either by the levy of taxes upon the people, or by requiring the insured persons (*i.e.*, persons who are employed) to pay a certain amount of premium.

In India, a start in this direction has recently been made by the government. It has passed the Employees State Insurance Act in 1948. Under this Act, the industrial workers will receive free medical treatment as also cash payments during periods of sickness in return for the payment of small sums of money as premia. The employers will also have to contribute towards meeting the expenses of the scheme.

The State and Public Utility Services: The expression, public utility services, refers to those activities which seek to provide certain conveniences for the public. The various transport services like the railways, tramways, posts and telegraphs etc., and such services as the supply of gas, water, electricity etc. fall in this class. The modern state is gradually extending its functions in this direction. It either provides these services itself, or exercises strict control over those who have undertaken to provide them.

There are several reasons why it is necessary for the state to undertake public utility services. First, these services involve huge expenditure, and do not always yield good profits. As a result, private enterprise may not be willing to shoulder such risks. Railways may not be profitable in an undeveloped territory. Throughout the 19th century, the railways did not yield good profits in India. Hence the state has either to undertake the construction of railways or to provide adequate financial aid to private enterprise before the latter would agree to provide the service. Secondly, even if private enterprise undertakes to provide such services, it may be necessary for the state to exercise proper control, in the interest of maintaining the desired standard of service and efficiency. Private enterprise may seek to augment its profit, and may not look to the national interest. Hence the state cannot afford to leave them to unregulated private agencies. Lastly, it is now being increasingly felt that the provision of such services should be the responsibility of the state. These are essential for the improvement of the material conditions of the people. A good transport system, and the supply of cheap electricity are essential for the industrial development of the country. An efficient transport system is an effective safeguard against the occurrence of famines in a country of long distances like India. Hence the provision of these services should not be left to private hands, but should be undertaken by the state.

CHAPTER 11

CITIZENSHIP

Civics deals with the activities of man as a citizen. It is primarily concerned with the rights and duties of the citizen. Hence it is necessary at the outset to have clear ideas about citizenship.

Characteristics of a citizen.

The original meaning of a citizen was a dweller of a city. Aristotle, the Greek philosopher, was of opinion that a citizen was a person who had a share in the political or judicial functions of the city-state. Now-a-days states embrace larger areas than the Greek cities contained. With the widening of the state the concept of citizenship has also become wider. According to the modern conception a citizen is a member of a political community, who owes allegiance to the state, and who enjoys the protection and benefits granted by the state. He is a member of the state, and can claim all its privileges. Wherever he goes in the world, he can claim the protection of his state if he falls into difficulties. In return, he will have to render some services to the state including military service, when called upon to do so.

Distinction between citizens and nationals.

Some writers make a distinction between a citizen and a national of a country. *Citizens* are those who enjoy full political rights, *e.g.,* the right of voting, the right to be appointed to any public office, etc. *Nationals* are those persons who are members of the state, but who do not enjoy full political rights. They may not have any vote. But they owe allegiance to the state, and are entitled to get its protection at home and abroad.

Distinction between a citizen and an alien.

Another way of defining a citizen is to distinguish him from an alien. All persons who reside in a state can be classified into two groups,—citizens and aliens. There are certain things common to both. Both of them, of course, live in the state. Both have to pay taxes, and to obey the laws of the country. But the status of a citizen is different from that of an alien. First, a citizen who resides in India is a member of the Indian state. An alien, (*i.e.*, a Frenchman or a German) may also live in India. But he is not a member of the Indian state. He is a citizen of his native country. Secondly, the citizen of India owes allegiance to his country, whereas the Frenchman or the German owes allegiance to his own state. An American who lives in India cannot be called upon by the Government of India to join the Indian army, wherever he may live. Thirdly, a citizen can claim the protection of his state both within and outside his state. An alien can claim the protection of the state in which he resides only in places within that state. But he cannot claim such protection outside that state. An Indian citizen can claim that his Government will protect his interests in non-Indian territories. But an American who lives in India cannot claim that the Government of India should protect his interests outside Indian territories. Lastly, a citizen enjoys full civic and political rights granted by the state. But an alien is not usually granted political rights by the state in which he resides for the time being. An alien, for example, cannot become a member of the legislature, though the citizen can do so in the vast majority of cases.

A citizen owes allegiance to his state. An alien owes it to another.

Aliens do not enjoy full political rights.

Sometimes aliens are subjected to a few disabilities from which citizens are free. Aliens, for example, may have to register their names with the police while they reside in the country. The citizens of that country have not to do so.

Methods of Acquiring Citizenship. There are usually two ways by which a man can become a citizen of a country, *viz.*, by birth and by naturalisation.

Two rules have been followed regarding the acquisition of citizenship by birth, *jus soli* and *jus sanguinis*. The first rule is that all persons born within the jurisdiction of a state become the citizens of that state. Their parents may be citizens of another state. But if they are born inside England (for example), they will be

Citizenship by birth.

regarded as British citizens, though their parents may be French. This is known as the principle of *jus soli.* America follows this principle. If an Indian child is born in the U.S.A., he will be regarded as an American citizen, though his parents are not American citizens.

The principle of *jus soli.*

The second rule is that the children, wherever born, will be regarded as citizens of that state of which their parents are citizens. This is known as the principle of *jus sanguinis.* France follows this principle. The children of a French citizen will be regarded as citizens of France, though they may be born outside French territory. England follows both these principles. All persons, born of British citizens anywhere in the world, and born in the British territories of any parentage, are regarded as British citizens.

The principle of *jus sanguinis.*

Citizenship acquired by birth is called *natural citizenship.*

Citizenship may also be acquired by ***naturalisation.*** Naturalisation is a means by which an alien is formally adopted as a citizen by a state. When an alien has resided in a state and fulfils certain conditions laid down by it, he may be permitted to become a citizen of that state. So by this method, an alien is adopted as its own citizen by a particular state. A person who becomes a citizen by naturalisation is called a ***naturalised citizen.***

Naturalised citizenship.

States insist on certain conditions which must be fulfilled before an alien is naturalised. He must, for example, reside in the state for a certain number of years, or he must have served the state for a like period. Thus *residence* or *appointment in the service of the state* for a number of years is usually a condition for the grant of a certificate of naturalisation. *Purchase of land* in the state often entitles an alien to apply for such a certificate. In some states women become citizens of another state when they marry men belonging to that state. If

Conditions of naturalisation.
Residence.
Appointment in state service.
Purchase of land.
Marriage.

these conditions are fulfilled, aliens are granted certificates of naturalisation by the state.

No distinction is usually made between a natural citizen and a naturalised citizen. Both of them enjoy almost similar rights and privileges. A few states, however, make some distinction between the two. In the U.S.A., a naturalised citizen cannot stand as a candidate for the Presidency or Vice-Presidency.

Citizenship is lost by marriage, service under foreign governments and naturalisation in another state.

Loss of Citizenship. Just as citizenship can be acquired, so it can be lost in several ways. It can be lost by *marriage*. When a woman marries a foreigner she loses her citizenship, and acquires that of her husband. In some states, a person will cease to be a citizen if he accepts *service under a foreign government*. In a few states desertion from the armed forces of the country will result in loss of citizenship. If an individual deserts his post in the armed forces, he will lose his rights of citizenship. Lastly, when a citizen leaves his home country, and becomes a naturalised citizen of another state, he loses his rights of citizenship in the home country. Formerly, states refused to recognise such a change of citizsenship. But now most of them do not stand in the way of a person who wants to change his citizenship.

CHAPTER 12

RIGHTS AND DUTIES OF CITIZENSHIP

We know who is a citizen. We shall next study the rights and duties of citizenship.

What is a right?

A right is a power or claim possessed by an individual against others, recognised and upheld by the state. It is a privilege which a person enjoys under the protection of the state. If any other individual interferes with his enjoyment of this privilege, the state will punish the second man, and in this way, will protect the first individual in the enjoyment of his right. To take, for example, the right of worship and religion. A person has the right to follow any religion he likes, and to perform rites prescribed by his religion. If others try forcibly to prevent him from following the religion of his choice, the state will step in, and punish the wrongdoers.

Rights enable a citizen to attain his best self.

Why do the states grant some rights to their subjects? Without these rights, no man can hope to reach his best self. He will not be able to develop his abilities to the fullest extent. It is the purpose of the state to promote the highest mental and moral development of its subjects. So it recognises many rights for its citizens. The worth of a state is to be judged by the extent of the rights it has granted to its citizens.

Classification of Rights. Rights are usually classified into two groups:—moral rights and legal rights.

Moral right.

A *moral right* is a right which is based on the ethical rules prevalent among the people. It is upheld by the moral opinion of the community, but not by the powers of the state. If there is a breach of these rights, the state will not punish the individual or individuals concerned.

A *legal right* is a right which is recognised and enforced by the powers of the state. If any individual interferes with such a right of another person, he will be punished by the state.

Legal right.

Legal rights have been further sub-divided into two classes, —*viz.*, civil and political rights.

Civil rights are those rights which are concerned with the life and property of the individuals. These are the right to life, right to property, right of contract, right of worship and religion, etc. Civilised life is not possible in the absence of these rights. These are the elementary conditions of social life without which no man can live a decent life.

Civil rights.

Political rights are those rights which enable a citizen to participate in, and regulate the affairs of the government of the country. These are the right to vote, the right to hold public offices, right to public meetings, etc.

Political rights.

Rights of a Citizen. Rights are those conditions of social life that are essential for the highest mental and moral development of the citizens. All citizens in a modern state enjoy some rights. In this section, we shall discuss these rights one by one.

The citizens enjoy, or are entitled to enjoy, the following civil rights.

(*a*) *Right to life.* This right implies the protection of the life of a citizen. He should be protected from the attack of others and also from attack by foreign countries. As a corollary to this, the citizen has also the right to use sufficient force in his self-defence if he is attacked by others. He can go to the extent of killing another person if that course is absolutely essential for his self-defence.

Right to life.

(*b*) *Right to liberty.* This right implies that every citizen has complete freedom of movement within the state. His movements should not be restricted by the arbitrary exercise of power either by other individuals, or by the state. He should not be wrongfully arrested or detained without trial by the officers of the government. If any individual is wrongfully detained by the government in India, he can apply to the court for a *writ of Habeas Corpus*. When the writ is issued, he must be produced before the court by the jailors. The court will then enquire into the causes of detention and will set him free if he has been illegally arrested.

Right to liberty and free movement.

There are, of course, limits to this right during a war. The state may impose many restrictions on the freedom of movement of citizens for reasons of military safety.

(*c*) *Right to property.* It implies that every citizen has complete freedom to enjoy his own property. No man can enter or search his house without a proper warrant, or permit.

Right to property.

(*d*) *Right of contract.* It means that every citizen has the right to enter into a contract with others. These contracts will be binding upon other parties.

Right of contract.

But there are also limits to this right. Contracts which are against the public good will not be upheld by the state. These will be regarded as void. If an employer enters into a contract under which children under 10 will be required to work in his factory, it will be regarded as invalid.

(*e*) *Right of worship and conscience.* This means that a citizen is free to follow any religion he likes and perform the necessary rites. He should have complete liberty of thought. The recognition of this right by the modern state presupposes complete religious toleration.

Right of worship.

(*f*) *Right to culture and language.* Every citizen shall have the right to follow and develop his culture and language. This is of special importance to the minorities living in the state. All minority communities should enjoy complete freedom to develop their language and culture. And the state should grant ample facilities for this purpose.

Right to culture and language.

Right to equality before law.

(g) *Right to equality before law.* This implies that every citizen, whatever his position in life, should be regarded as equal before the eye of law. The law should not make any distinction between a Prime Minister or a millionaire and an ordinary poor citizen.

Right to freedom of speech.

(*h*) *Right to freedom of speech.* This right means that the individual is free to express his opinion in public. He must have complete liberty to speak in any way he likes. He should be allowed to criticise the policies pursued by the government. And the latter should not prosecute him for his opinions, however unpalatable these might be to the ruling authorities. The government should not have the authority to censor the speech of the citizens.

This is a most valued privilege. A democratic government cannot work successfully unless the citizens enjoy this right. Free criticism by the citizens tends to check the arbitrary actions of the government. In this way, it is kept on the right path. If a government is given the power to prohibit the expression of some opinions, it will tend to suppress all unpalatable criticism of its mistakes and defects. As everybody is prevented from pointing out the mistakes of the government, it will not know that it is making mistakes. That way lies disaster. There is a great moral danger involved in this censorship of speech. As Laski pointed out, "men who are prevented from thinking as their experience teaches them will soon cease to think at all. Men who cease to think cease also to be, in any genuine sense, citizens."

The right to freedom of speech does not carry with it the right to free scandal-mongering. The citizen should not be allowed to commit libel, or utter obscene words in public.

Freedom of the Press.

(*i*) *Right to freedom of the press.* This right follows automatically from the right to free speech. Just as a citizen should be free to express his opinions in public, so he should have freedom to publish his opinions in a book, or pamphlet, or newspaper. Newspapers should be free to publish all sorts of ideas, opinions and criticisms. The duty of every citizen is to promote the common good of the country. He must be free to publish his ideas on this subject. He cannot carry out his duties properly if he is prevented by the state from expressing his opinions on any subject.

As in the case of freedom of speech, this right is also subject to the usual limitations. A citizen cannot publish any libellous or obscene statement.

Freedom of association.

(j) *Right to public meeting.* A citizen should be free to form associations with others so as to carry out his ideas. He should have the freedom to express his views in public meetings. The state should not prohibit any one from holding a meeting of the public on any topic.

This is also a most important right. Indeed it is a corollary to the right of free speech. In the modern world, an individual is not able to carry out his ideas except in association with others. Discussion of important topics in public meetings serves to educate the masses. The ordinary people come to learn both sides of a question from the speeches delivered in public meetings. Public criticism of the government is a valuable check on the activities of the government.

This right is also not absolute. The government has the right to prohibit associations or meetings which might stir up violence.

Right to work and education.

(k) *Rights to work and education.* It is now being increasingly recognised that every modern state must guarantee the right to work. This means that every citizen should be provided with suitable work by the state. If he cannot get a job in spite of his best efforts, the state should provide work for him, or support him during his unemployment. This right also implies the right to be paid an adequate wage for his labour and the right to reasonable hours of labour. The citizens must be paid such wages as will enable them to maintain a decent standard of living. Hours of work should be restricted. The citizens should have ample leisure for developing their minds.

The right to education means that the state should make adequate provisions for educating the citizens. No one can be a good citizen unless he is properly educated.

The citizens of democratic states also enjoy some political rights. These are the right to vote, the right to hold any public office, the right to petition, etc. The right of free speech, press, etc., also fall in this group.

Right to vote.

(*a*) *Right to vote.* In a modern state, every citizen should have the right to choose his own government. This implies that he should have the franchise. This ideal is not always realised in practice. Aliens, bankrupts, paupers, certain criminals and minors are often denied the right to exercise their votes.

Right to public offices.

(*b*) *Right to hold public offices.* This implies that the law should not debar any citizen from holding any of the public offices.

Right to petition.

(*c*) *Right to petition.* Every citizen has the right to send petitions to the government and the legislature for the redress of his grievances.

Every state may not recognise and uphold all the rights discussed above. But the more progressive a state is, the more of these rights it guarantees for its citizens. The more of these rights a state upholds, the greater its claim to the allegiance and affection of the citizens.

Rights and duties go together.

The Relation of Rights and Duties. The citizens of a modern state enjoy certain rights. They have also some duties or obligations. For *rights imply duties.* This follows from the definition of rights. Rights are the claims or privileges enjoyed by a citizen, recognised or upheld by the state. It is the duty of the state to protect your rights. Otherwise rights are meaningless. Since you have a right, it is the duty of other people to see that they do not, by their actions, interfere with your enjoyment of that right. Thus your right imposes duties on other people and on the state. Others must not interfere, and the state must not allow them to interfere, with your rights.

Your right also imposes a two-fold duty on you. First, you have a duty to see that you do not interfere in any way with the enjoyment of similar rights of others. As you have a right, so have others. It is your duty not to take any action likely to interfere with their rights. Secondly, rights cannot be enjoyed for nothing. You are given certain rights so that you can perform your duties as a citizen. These rights are necessary to enable you to exercise your civic duties. The state, by guaranteeing these rights, imposes on you the duty to act as a responsible citizen of the community. It will be your duty to develop your abilities and to try your utmost to further the common good of the country.

Thus your right automatically imposes a duty on other people, on the state and on yourself as well. Rights are, therefore, correlative to duties. They are the counterpart of duties.

Duties of Citizenship. We have studied the rights of a modern citizen. As rights and duties go together it is also necessary to discuss the duties or obligations of citizenship. In civics, we are more concerned with the duties of a citizen than with his rights. This is as it should be. The aim of civics is to make better citizens. No one can be a good citizen unless he performs his civic duties conscientiously.

The following are the duties of a citizen.

Allegiance or military service-.

(*a*) *Allegiance*. The citizen must be prepared to defend his state against attack by others. He has a duty to fight for the protection of the state, even at the cost of his life. It is his duty to support all public officers in the discharge of their duties. He should help the police in the prevention of crimes and help them in finding out the criminals.

Obedience to laws.

(*b*) *Obedience to laws.* Another important duty of a citizen is to obey the laws of the state. The state enacts laws so as to promote the common good of the community. So it is the duty of all citizens to obey these laws. Unless laws are obeyed by the citizens, a government cannot function properly.

That does not mean that citizens should blindly obey all laws. If any law is considered bad by the citizens, they should take steps to secure a repeal or revision of the law by constitutional means.

(*c*) ***Payment of taxes.*** It is the duty of the citizens to pay the taxes levied on them by the state. A government requires large sums of money to meet its expenditure. Unless citizens readily pay their taxes it will fall into difficulties.

Payment of taxes.

(*d*) ***Honest exercise of the vote.*** The counterpart of the right to vote is the duty of every citizen to cast his vote honestly. It is his duty to exercise his vote at every election. He should examine the different party programmes carefully and select right candidates without fear or favour. Unless the citizens exercise their votes carefully and honestly, they will not always choose the best candidates. A government consisting of wrong people cannot be expected to promote the interests of the people.

Exercise of franchise.

(*e*) ***Public service.*** Just as every citizen has the right to hold any public office, so he has the duty to be ready to hold any public office, and to perform duties attaching to that post honestly and diligently. It is his duty to take an active part in the civic affairs of his village, or city, or community.

Honest public service.

(*f*) The citizen has also other duties. It is his duty not to be apathetic or indifferent to public affairs. He must not be guided solely by his private self-interest. It is his duty to avoid party quarrels. He should be constantly on the guard for the protection of his rights and liberties. He should also try to get the best education for himself and his children.

Self-control.

As we have stated before, more attention should be paid to the duties of citizenship than to the rights. If the citizens neglect to perform their civic duties honestly, they soon find that they no longer possess their rights. Eternal vigilance is the price of liberty. Unless the citizens exercise eternal vigilance and perform their duties, they will soon lose their liberty.

Rights of an Indian Citizen. We have already studied the rights which are possessed, or should be possessed by the citizens of a modern state. How far are these rights enjoyed by a citizen of India?

During the period of the British rule, people did not enjoy the civic rights discussed above. The government possessed the right to imprison without trial, or to restrict free movements of the people, or to close down all associations and assemblies of persons. The right to free speech was seriously curtailed under the law of sedition, and the press was put under severe restrictions by passing several press laws. All these have been changed considerably since the 15th of August, 1947. Freed from alien rule, the people of India regained their civic rights.

The present constitution of India contains provisions guaranteeing many of these rights for the citizens. The constitution has guaranteed the right of all citizens to equality before the eye of the law, the right to culture and language, the right to freedom of speech, freedom of association and freedom of press subject to some limitations, the right to liberty etc. Untouchability has been abolished. All citizens will have the right to move freely throughout India and to settle in any part of the country, and to practise any profession, trade or business etc. No person is to be deprived of his property save by the authority of the law, and no property can be acquired by the state without the payment of compensation to the owners. No child below the age of 14 can be employed in any factory or mine etc. Every citizen will have the right to move the Supreme Court of India for the enforcement of his rights.

CHAPTER 13

GOOD CITIZENSHIP

Who is a good citizen? In other words, what are the qualities a good citizen should possess? Lord Bryce was of opinion that a good citizen must have three qualities,—intelligence, self-control and conscience.

Intelligence.

Intelligence means strong common sense. In a democratic country, the citizens determine, by their votes, the policies to be carried out by the government. If they approve of the policy of protection they will cast their votes for those candidates who have promised to carry out such a policy. Hence a citizen must possess sufficient intelligence to judge of the public affairs. He should have enough wisdom to choose the right men for the various public offices. The good citizen must be educated properly. He should be capable of distinguishing between right and wrong, and of taking a dispassionate view of public affairs.

Self-control.

The good citizen must possess self-control. He must learn to subordinate his private interests to the general interests of the community. If, in a particular matter, his selfish interests are opposed to the common interests of the country, he should have sufficient self-control to promote the latter even at the cost of his private interests. In a democratic country all things are decided by the votes of the majority. The citizen may differ from the decision of the majority, and consider it wrong. But he should accept it, while trying to change the opinion of the majority.

Conscience or devotion to duty.

Lastly, a citizen should discharge his duties honestly and diligently. He should always be ready to support public officers in the discharge of their duties. He should pay his taxes regularly, and must be ready to render all possible services to the community. He should be ready to suffer for his country. He must exercise his vote honestly, and sincerely try to choose the best candidates. In short, his activities should be inspired by a spirit of service to the community, and by strong devotion to his duties.

Hindrances to Good Citizenship. Who is a bad citizen? What are the defects of character which stand in the way of good citizenship? These have been stated by Bryce to be indolence, ~~private self-interest~~ and party spirit. A person who is indolent, and is guided by private self-interest and party spirit must be a bad citizen.

Obstacles to the exercise of good citizenship.

Indolence means apathy to all public affairs. Public affairs are the concern of everybody, and will only be properly conducted when everybody co-operates sincerely and with care. But in many cases, everybody's business is looked upon as nobody's business. Everybody thinks that others will do it. So he becomes negligent. The citizen neglects to cast his vote at the time of election. He avoids public life, and refuses to stand as a candidate for the various offices. He may even refuse to fight for his country. He considers that public affairs do not concern him. So he neglects to study, or deliberate upon vital public questions. In this way, indolence of action leads to indolence of thought. Such widespread civic apathy makes good government impossible. Since nobody takes the trouble to keep watch over the activities of government, the officials will neglect to carry out their duties. The system of administration thus degenerates. The government may also grow despotic. Eternal vigilance is the price of liberty. When the citizens become indifferent, they will gradually lose their rights.

Indolence or negligence of duty.

Unfortunately, the spirit of indolence is increasing in modern states. This is due partly to the vast size and population of a modern state. The citizen feels that he is only one in a million and that he is powerless to influence the opinion and sentiment of the majority. This knowledge of helplessness breeds a sense of indifference in the citizen. There are also other reasons. Many other interests like sports, science, business or art attract the citizens more than politics. So they neglect to study the political questions, and become negligent of public affairs.

The spirit of indolence is increasing now-a-days.

Another great defect is the pursuit of private self-interest by the citizens. Actuated by this spirit, they neglect public interest, and strive to promote their own interests even at the cost of the common good. In order to further their interests, they may bribe the voters so as to get themselves elected. They may arrange the taxes, and distribute public offices in order to benefit their supporters and relations. In these and various other ways, the public life of a country is corrupted by those who seek their private interests. The system of administration suffers as a consequence.

Private self-interest.

Another serious obstacle to good citizenship is the growth of the party spirit. A democratic government cannot be carried on without parties. Healthy rivalry between the different parties prevents the government from becoming despotic. But rivalry between the parties may not always be healthy. When parties degenerate in this way, it gives rise to a great many evils. Each party may strive to promote its own interests even at the cost of the general interest of the country. Such measures and policies are adopted as are likely to promote the interests of the party, even though they may bring great harm to the country. The members of the party think only in terms of their party interests. The Muslim League fought for the Muslims, the Hindu Mahasabha for the Hindus, while the whole country looked on helplessly and suffered miserably. There was nobody to fight for the people. Lastly, such acute party spirit leads to great bitterness of feeling and to frequent quarrels.

Party spirit.

There is another hindrance to good citizenship. The citizens should not be stupid or ignorant. An ignorant citizen cannot be a good citizen. He will fail to understand and judge public affairs.

Ignorance or stupidity.

A good citizen should, therefore, avoid these defects. He should never neglect to carry out his civic duties. He should try to get the best education possible within his means. He should learn to subordinate his private interests to the general interests of the country. And he should avoid party factions.

CHAPTER 14

LAW, CRIME AND PUNISHMENT

Whenever an organisation is formed, it makes certain rules to regulate its activities, and guide the conduct of the members. These rules are, of course, framed and approved by members themselves. But once framed, they must abide by these rules. This is the usual practice whenever a club or a society is formed.

Laws are rules of conduct for citizens, which are enforced by the state.

Similarly, the state has also to frame certain rules to define the field of its activities, and to guide the conduct of the citizens. These rules are known as *laws*. Laws are, therefore, those rules and regulations which define the scope of the functions of government, and regulate the activities of the people. If the government decides to introduce compulsory primary education in a country, it will first pass a law authorising itself to discharge that function. Thus laws are the rules framed by the state to guide the acions of the people. In the words of President Wilson, "law is that portion of the established thought and habit which has gained distinct and formal recognition in the shape of uniform rules backed by the authority and power of government." Thus two things are necessary to constitute a law. First, there must be a set of uniform rules laying down or prohibiting a course of action; and secondly, those rules must be enforced by government. If anybody disobeys these rules, he will be punished by the government.

Legislature.

Sources of Law. We usually think that laws are the acts passed by the legislature. It is, of course, true that in the modern state, the *legislature* is the main source of law. It passes all laws. But laws have sprung from other sources as well.

Customs have always been an important source of law. In course of time, people come to follow certain customary rules on different matters. These are recognised and enforced by the

Customs.

Religion.

Scientific discussions of laws.

state. The Hindu law, for example, is based in many places on customs. Another important source is *religion.* It was more so in early times. The different religions prescribe certain rules of conduct which are obeyed by their followers. These rules are recognised as laws. A third source of law is the *scientific discussions* of the great writers. They have discussed the different laws and customs, found out their proper interpretations and suggested suitable modifications. These interpretations and modifications are often accepted by courts, and are recognised as laws. This is an important source of Hindu law which has gained much by the discussions of Manu, Parasara, Jajnabalka and other jurists.

Judicial decisions.

Laws are not made by the legislature alone. They are also made by the *judges.* Judges have to interpret a law when trying a case. They may modify the provisions of the law considerably by their interpretations. They are also called upon to give decisions on points not covered by existing laws. In these ways, they have built up many judge-made laws.

Equity.

The last source of law is *equity.* Equity means justice. Judges often decide a case mainly guided by their sense of justice. They may point out that a certain provision of an existing law is inequitable in character. In this way they may help to amend that law according to the principles of equity.

Law is the mirror of moral progress.

Law and Morality. How far is law based on the rules of morality? Rules of morality prescribe the right behaviour on the part of each individual. Laws are rules which seek to guide the conduct of individuals. Thus there is a close connection between the two. *Law reflects morality.* It will forbid such conduct as is opposed to morality. Adultery is condemned by the moral opinion. It is also prohibited by law. Many acts which are considered immoral are also declared illegal. Thus law has followed morality in many cases. It has been stated by Woodrow Wilson to be "the mirror of the moral progress of a country."

Distinction between law and morality.

But in spite of this close relation, the spheres of the two are often different. First, there is the difference in the sanction behind the two. Law is enforced by the state. Any breach of the provisions of a law is punished by all the forces of government. But morality is not enforced by anybody. If a person violates a moral rule, the state will not punish him. Secondly, there is a difference between the spheres of law and morality. Law regulates only the external conduct of an individual. It never seeks to regulate inner thoughts or motives of a man. A person may harbour many seditious thoughts. So long as he refrains from expressing these thoughts in public, the state will not punish him. But morality is concerned with both the external and internal conduct of an individual. It seeks to regulate the inner thoughts and motives of man. To think evil of others is condemned by morality. But it is not punished by law. The law will punish a man only when his evil thoughts result in unlawful actions.

Law is, and morality is not enforced by state.

Law regulates external actions; morality regulates external and internal actions.

Acts which are illegal may not be immoral.

Lastly, there is another reason why the spheres of law and morality are different. Law prohibits many actions that are not forbidden by morality. If a man drives his car to the right side or a road, he is not doing any immoral act. But he will be guilty of an illegal act. Acts that are illegal are not necessarily immoral.

CRIME

One of the most important functions of the state is the making of laws. Laws prescribe different rules of conduct for the people and prohibit certain courses of action. A breach of those laws is called crime. A criminal is a person who has violated a law or the laws of the state. It is the function of the state to prevent, detect and punish crimes. Crime is different from sin. Sin is a violation of the laws of god or religion, whereas crime is a violation of state-made laws. A criminal act may not be a sinful act. A man who drives a car on the wrong side of the road is guilty of a crime, but he commits no sin. A criminal act need not be an immoral act. There are many acts like driving on the wrong side which are criminal, but are not condemned by morality. When the practice of *suttee* was prescribed in our society, it was regarded as a moral law whose violation was considered to be sin. When Lord Bentink passed a regulation prohibiting this practice, there ensued a conflict between a so-called sinful act and a criminal act. To indulge in *suttee* was a crime. Not to indulge in such a practice was then considered to be a sin. Crime affects only the outward actions of men. Sin embraces not only the outward actions, but even the innermost thoughts of people. To harbour evil thoughts in one's mind is a sin. But so long as such thoughts do not result in criminal actions, it is not a crime. Crime simply means a breach of law, and has nothing to do with morality or religion.

Crimes are classified according to the gravity of offence. Certain crimes, not considered to be of a serious nature, are called misdemeanours. These are generally punished by a mere fine or simple imprisonment. More serious crimes are called felony. These are punished with death or long imprisonment. Much also depends on the motive behind the crime. Crimes committed with ordinary motives are considered to be more severe than those committed from political motives. That is why political crimes have always been treated with greater leniency than ordinary crimes of similar nature. There are certain crimes which involve moral turpitude and are therefore punished more severely than others which do not involve such a defect.

Causes of crime.

What are the causes of crimes? Very few persons are inherently criminal in nature. Crime is generally the result of bad and unfavourable environment. Crimes are often committed as a reaction against suppression suffered by people either at home or in their surroundings. Poverty and unemployment have often driven men to crime. The classical example is furnished by Jean Valjean of the *Les Miserables.* An unemployed man is driven to crime in order to save himself and his family from starvation and ruin. Another important cause of crimes is the drinking habit. A drunkard loses control over himself and may not know what he is doing. In fact much of the crime in modern societies can be traced to the spread of the drinking habit. Again, due to our defective social and economic organisation, many persons do not get the chance of living a normal life, and in frustration, are inevitably driven to crime.

Punishment

The discussion of crimes inevitably leads to the theory of punishment. Persons committing crimes are punished by the state. What is punishment? Law is the creator of rights. It is by passing laws that the state guarantees a system of rights for the individuals. A person who violates a law infringes the rights of some individual or individuals or of the community. The state punishes him by taking away his rights in some way or other. This punishment usually takes the form of the imposition of a monetary penalty or imprisonment for a definite period of time. In the extreme case, the state inflicts the maximum punishment by taking away the life of the criminal. Through the institution of punishment the state seeks to prevent the violation of the rights of the people. Punishment is therefore an important element in the safeguarding of individual liberty.

Definition of punishment.

Theories of Punishment. Three different theories have been stated regarding the nature and purposes of punishment. One theory is based upon the formula of "an eye for an eye, a tooth for a tooth." This is known as the *retributive theory.* According to this theory, the state should award punishment in such a way as to wreck vengence on the criminal. The degree of punishment should be in proportion to the crime committed.

Theories of punishment.

But this theory is no longer accepted as the basis of punishment. While it is the duty of the state to uphold the law and to protect the rights of individuals, it should not seek to do so by wrecking vengence. Punishment is quite different from revenge. The purpose of punishment is not revenge, but the protection of rights and prevention of future violations. Revenge is primitive and barbarous. No modern state seeks revenge when awarding punishment to criminals.

The second theory is known as the *deterrent theory*. According to this theory, the purpose of punishment is not revenge. Punishment should be such as to deter all future offenders from committing such crimes. Punishment should inspire sufficient fear in the minds of future criminals so that they may cease from committing crimes. It should therefore serve as an example to others. This theory supports the award of severe punishment.

Modern opinion is also against this theory. In ancient times very severe punishment was given for such offences as theft etc. But it is doubtful how far the severity of punishment exercises a deterrent effect. Capital punishment has always been awarded for murder. But it has not succeeded in preventing men from murdering.

The third theory is known as the *reformative theory*. According to this theory, a criminal is like a sick man, a man with a diseased mind. We do not punish a sick man for his illness. On the other hand, we try to cure him. So in awarding punishment the state should aim at curing and reforming the criminal. Prison houses should be converted into reformatories and mental hospitals where expert psychologists should try to educate the criminal. Reforms should be made in the social environment which drives men into crime. The whole basis of punishment should be, not revenge, but reform and education.

There is much truth in this view. Though the modern state does not fully carry out this theory, it has gone a long way in basing its system of punishment on this theory. Severe punishment or revenge is now considered to be inhuman. It is also unnecessary. The object of punishment is also not to serve as an example to others. Punishment aims at reforming the criminal, while protecting the right of the people. The criminal is to be treated with sympathy, and an attempt is made to bring him back to normal life. The extent of punishment should therefore depend on several things, *e.g.*, the nature of the crime, the character of the criminal, the motive of his offence and the age of the criminal etc. A distinction should be made between a first offender and habitual criminals. The first offender should be treated with consideration, and every effort should be made to bring him away from a life of crime. Similarly, juvenile offenders should be specially treated in reformatories and Borstal jails. They should be given proper education in such institutions and should be taught a useful vocation which they can follow after their release.

While every attempt should thus be made to reform the criminal, it must not be forgotten in our reformer's zeal that punishment should also seek to protect society. Hence punishment must be swift and certain, and it should be as grave as the offence.

Capital Punishment. The state generally awards capital punishment for extremely serious offences like murder, treason etc. It has been urged by many writers that the system of capital punishment should be abolished. According to them, capital punishment for murder is based on the ancient principle of vengence. It takes an eye for an eye, a life for a life. Enlightened opinion no longer accepts this principle as the valid basis of punishment. Secondly, they argue that hanging has not kept down the number of murders in any country. Those who murder generally do it under great emotions when all other considerations are seldom taken into account. Moreover, judges and juries are not infallible. Evidence may be skilfully faked against a person or proper evidences cannot be found at the time of trial. It is quite possible that the condemned man may be really innocent. In course of time fresh evidence may come out, showing his innocence. But if he is hanged by the state, there will remain no means of restoring him back to life. After all, no man is infallible and no one should take upon himself the task of taking away a life, since none can give life. On these grounds people have argued in favour of the abolition of the system of capital punishment. They support the award of long-term imprisonment for persons now sent to the gallows. But in the opinion of many writers, long-term imprisonment is often worse than death. It is tantamount to living death. Capital punishment is not awarded as a matter of revenge. It is to serve as a deterrent to future criminals so that they may not overstep the limit and kill persons.

CHAPTER 15

LIBERTY AND AUTHORITY

Liberty. Liberty is derived from the latin word, *liber* (*i.e.*, free). So it means freedom. In popular opinion, liberty means complete freedom to do anything one likes. A free man is a person who can do anything he likes, and there should be no restrictions on his actions

Liberty does not mean the absence of all restraints.

This is a serious misconception of liberty. Liberty in the sense of complete absence of all restraints cannot exist. It does not mean that one can do anything one likes without any restraint. In that case, one could rob a man and kill him if one likes. That cannot be allowed. Even if that is allowed, it would mean in actual practice that very few could have this type of liberty. The strong would then oppress the weak and deprive them of liberty. So in order that all might enjoy liberty, some restraints must be put on the actions of every individual. One cannot, for example, be allowed to rob another, or kill a third person. So true liberty can exist only under some restraints. When restraints are placed on the actions of an individual, his liberty is not necessarily curtailed. His liberty will be restricted only when the restraints are arbitrary and unjust. But if the restraints are in the interests of the common good then these will increase liberty. So liberty does not mean mere absence of restraint. There could be no liberty if there were no restrictions.

Liberty means freedom to do what one likes without injuring similar liberty of others.

True liberty is positive.

True liberty has a positive connotation. It does not, we have seen, mean the absence of restrictions. On the other hand, true liberty exists only when every citizen enjoys the opportunity for self-realisation and the state maintains those rights and opportunities which help the citizens to develop all that is best in them. "The true test of liberty lies in the extent to which the law of the land helps the citizen to develop all that is good in him."

Liberty and Authority. It is sometimes stated that liberty is inconsistent with the maintenance of an authority. When you have to obey an authority, you are not free. The state passes laws, and puts other restrictions on the activities of individuals. At every step, you have to obey the orders of the state. You cannot do anything you like. Hence it is stated that the existence of the state and its laws puts serious restrictions on the liberty of individuals. There is thus a conflict between the authority of the state and the liberty of the individual.

Is liberty consistent with authority?

But this misconceives the meaning of liberty. Liberty does not mean complete absence of restrictions. Such liberty cannot exist. If everybody were free to do anything he liked there would be chaos and anarchy in the country. The strong would then oppress the weak. The latter would have no remedy against such oppression as there would be no authority to stop the oppression of the strong. If there is no authority, nobody will be able to punish a murderer or a robber. If some persons come and begin to plunder my house, I have no remedy except my own strength. True liberty cannot exist in such a state. There must be an authority to protect the weak, and to restrain the strong and the rich. The state is such an authority. Its main function is to see that all people, rich or poor, enjoy equal liberty. In order to secure this purpose, it has to place restrictions on the activities of people. The aim of these restrictions is not to curtail the liberty of individuals, but to ensure that all may enjoy equal liberty. Restrictions placed by the state do not, therefore, curtail the true liberty of individuals. On the other hand. these enlarge the scope of liberty for everybody. When you and your friends form a club for a particular purpose, you have to frame certain rules to guide the conduct of the members. It may appear that these rules curtail the liberty of the members. But this is not true. These rules are framed to ensure that all members may enjoy the benefits of the club equally. Similarly with the state. The state is an organisation of people formed to promote the common good of all. The rules and regulations formed by the state, *i.e.*,

Civil liberty arises in the state.

the laws of the state, are not meant to curtail the freedom of individuals. Their purpose is to create and maintain the liberty of the subjects.

"The recognition of political authority is the indispensable condition of liberty."

The existence of a political authority is thus the indispensable condition of liberty. True liberty can only exist in the state. If there is no state, no authority, anarchy will prevail. The life of man would be nasty, brutish, short. The hand of everybody would be against everybody. The state banishes this anarchy. It protects the weak, and restrains the strong. It sees to it that the people exercise their rights in such a way that they do not encroach upon similar rights of others. The existence of the state is, therefore, a guarantee that all of us will enjoy equal rights and equal opportunities. The state, therefore, creates and maintains liberty.

Law and Liberty: Similarly there is no conflict between law and liberty. The laws passed by the state place many restrictions on the citizens. They forbid people to do many things. The factory acts passed by the government lay it down that a factory cannot be worked for more than 8 hours a day, that the workers must be given weekly holidays, or that no factory can employ a child below 12 years of age. These acts thus place restrictions on the employers and the workers, and may be said to curtail their liberty.

Liberty is a creation of law.

We already know that this is not true. Laws do not curtail liberty. On the other hand, these create and maintain the liberty of individuals. It is no liberty to allow the employers to exploit the helpless workers and their children. The factory acts enlarge the liberty of the workers by ensuring that they are not overworked or underpaid. The state passes laws to define the rights and duties of the people. The purpose of these laws is to guarantee that all citizens may enjoy equal rights and opportunities. Laws prescribe the manner in which an individual is to exercise his rights so as not to interfere with similar rights of others. The purpose of laws is to enable the citizens to develop all that is best in them. Liberty is thus the creation of law. True liberty cannot exist without laws.

Safeguards of Liberty. Liberty is regarded as very precious by all people of the world. If the citizens do not enjoy any liberty, they will not be able to develop their faculties. If their actions, movements and speeches are interfered with at every step by a tyrannical authority, life is not worth living. Hence many attempts have been made in every country to safeguard the liberty of the individual citizens.

Liberty cannot exist under a dictatorship. If the citizens have full liberty of speech and action, the dictator will soon find that his will or power will be questioned and opposed by the enlightened conscience of the citizens. Hence dictators have been forced to curtail the liberty of the subjects in order to retain their power. There was no liberty in Nazi Germany. Liberty will be secured only in a democracy where the sovereign power resides in the masses.

The enjoyment of full liberty may not always be secure even in a democracy. The government of a democratic country is conducted by a body of ministers and officials. Power has on many occasions corrupted men. So the ministers or public servants may abuse their power, and make encroachments on the liberty of the citizens. Owing to this reason, people have tried to include in the constitution, proper safeguards for the protection of their liberty.

Separation of Powers.

One such safeguard was the separation of powers. The powers of government should be separated into three parts, —executive, legislative and judicial. These powers should not be given to one person, or a body of persons, but should be entrusted to three different bodies, each independent of others. If one part of government tends to oppress the people, its actions will be checked by other parts. If the executive encroaches upon the liberty of any citizen, he can appeal to the judiciary or the legislature which will check the executive, and protect his liberty. This is known as the theory of separation of powers. But such separation of powers is neither possible, nor desirable. Government is an organic whole, and its powers cannot be separated into completely different parts. Moreover, such separation of powers is not necessary to safeguard the liberty of the people. In England, the executive and the legislative or judicial functions have often been given to one person, or a body of persons. But this has not curtailed the liberty of the citizens in that country.

Independence of judiciary.

The really important thing is the independence of the judiciary. The tenure of office of the judges should not depend on the whim of the executive, or the legislature. The judges will then be able to protect citizens from the arbitrary acts of the executive. If the judges are able, honest and fearless, they will safeguard the liberty of the people.

Bill of Rights.

Another safeguard that is sometimes adopted is to include a Bill of Rights in the constitution. According to this Bill of Rights, the citizens are guaranteed the enjoyment of their rights, free from all interference. For example, all citizens may be guaranteed the freedom of speech, of association and of press, right to work, right to education, etc. The U.S.A., the Eire, Germany and Russia have included such a Bill of Rights in their constitutions. The Indian constitution includes a Bill of Rights.

But the inclusion of such a Bill of Rights does not always mean that citizens will be able to enjoy full liberty. All such Bills of Rights contain exceptions. It is usually laid down that these rights may be suspended during emergencies like a war, etc. There have occurred many abuses of this exception. In Genmany, for example, the Bill of Rights was suspended when Hitler came to power.

Rule of Law.

It is often claimed by British writers that the Rule of Law, which exists in their country, is a very good safeguard of liberty. The Rule of Law means that all persons, rich or poor, are to be regarded as equal in the eye of law. The same law will apply to all persons, be he the Prime Minister, or any ordinary person. The former enjoys no special privilege denied to the latter. Hence all citizens enjoy equal liberty. There is another provision in the British law which protects a citizen from arbitrary arrest or conviction. If a person is wrongfully confined in jail, he can apply to courts for the issue of a writ of *Habeas Corpus.* The court will then enquire into the cause of his detention. If there is no sufficient legal cause, the courts will order that he should be set free.

Habeas Corpus.

The best safeguard of liberty is the freedom-loving spirit of the people. In England there is no separation of powers, no Bill of Rights. But the people enjoy liberty because any interference with their liberty will be strenuously opposed by them. Eternal vigilance is the price of liberty. The people must oppose all interference with their liberty, and actively fight for the protection of their rights.

Spirit of the people.

Different kinds of liberty. It is the usual practice to divide liberty into five different groups:—*viz.,* natural liberty, civil liberty, political liberty, national liberty and economic liberty.

Natural liberty means that freedom which a man is supposed to enjoy in a state of nature that existed before the birth of society. In his social contract theory, Rousseau stated that man enjoyed true liberty only in the state of nature. But after the organisation of the state man lost his liberty. This is a misconception of liberty. True liberty can exist only in the state.

Natural Liberty cannot exist.

Civil liberty means freedom to enjoy civil rights. The state guarantees certain civil rights to the citizens, *e.g.,* the right to life, right to liberty, right to property and contract, right to worship and conscience, etc. The state protects the individuals from the interference of others in the enjoyment of these rights.

Civil Liberty.

Political liberty means the freedom which a people enjoy to form a government of their own. It exists when every citizen has a share in the government of the country and enjoys the political rights, *e.g.*, the right to vote, the right to hold public offices, etc. Political liberty exists only in a democratic country.

Political Liberty.

National liberty means the independence of a nation. When a country is independent of foreign control it enjoys national liberty. There can be no political liberty without national liberty. Citizens will not be able to enjoy civil liberties if they do not possess national liberty. It is thus the foundation of all liberty.

National Liberty.

Economic liberty means the freedom from want and freedom from fear, the last two of the four freedoms stated by the late President Roosevelt. The state should guarantee the right to work, right to reasonable hours of work and reasonable wages, and the right to unemployment benefits, etc. True liberty can only exist when the people enjoy economic liberty. Freedom is meaningless to a man who suffers from the pangs of hunger, and who is always haunted by the fears of unemployment. There can be no liberty for me if my livelihood and life depend on the whims of an employer.

Economic Liberty.

CHAPTER 16

EQUALITY

Liberty and equality have been the watchwords of modern democracy. In the previous chapter, we have studied the nature of liberty. Here we shall discuss the meaning of equality and the relation between equality and liberty.

Equality means absence of special privileges.

The popular meaning of equality is that all men are equal, that all should get equal incomes and equal treatment. But this is a misconception of the principle of equality. All men are never equal. Nature has endowed different men with different capacities. One individual is born with the genius of a poet, another with that of a painter, a third with that of an engineer. The vast majority do not possess special aptitude of any kind. Men are not born equal. All that is necessary to ensure the principle of equality is that special privileges of all kinds should be abolished. The state should grant equal civil and political rights to all people, making no discrimination on the ground of race, colour or income. All persons should be regarded as equal before the eye of law.

It signifies adequate opportunities for all.

Like liberty, equality has also a positive connotation. Not only all special privileges should be abolished, but all men should be given adequate opportunities to develop their abilities. This does not mean that all should get equal opportunities, or that the state should make equal arrangements for everybody. It does not mean that both Rabindranath Tagore and Sir R. N. Mukherji should be educated equally as an engineer, or as a poet. That is not equality. All that is necessary to ensure equality is that the state should provide *suitable* opportunities for everybody. If a citizen feels that he has the makings of a good engineer in him, nothing should stand in the way of his joining a good engineering institution. He should be enabled to develop his abilities with the help of the state. The principle of equality is satisfied when the state provides its citizens with adequate opportunities for developing their abilities.

Thus understood, there is really no conflict between the principles of liberty and equality. There can be no liberty without equality. Similarly there can be no equality without liberty. Under despotism, all men may be treated equally by the despot (which is unlikely), but they do not enjoy adequate opportunities to develop their best selves. That is possible only under a free regime.

There can be no equality without liberty and *vice versa.*

Kinds of equality Just as there are five kinds of liberty, so equality has also been classified into five kinds,—natural equality, civic equality, political equality, social equality, and economic equality.

Natural equality seems to imply that nature has ordained that all men should be equal at the time of birth. But this concept does not help. Nature has not willed that all men should be equal. On the other hand, they are endowed with unequal abilities from their very birth.

Natural equality.

Civic equality exists in a country where citizens enjoy equal civic rights.

Civic equality.

Political equality signifies that the citizens have been granted equal political rights. All citizens, irrespective of sex or race, must enjoy the right to vote and other rights.

Political equality.

Social equality implies that no distinction is made in the social status of the people on the ground of their riches, race, class, or caste. Socially all are considered equal, whether they are rich or poor, or have white or black skin. The division of society into different classes or castes acts as a bar to social equality.

Social equality.

Economic equality means that all persons in the state should enjoy equal incomes and wealth. This ideal has not yet been realised in any country, not even in Russia.

Economic equality.

CHAPTER 17

FORMS OF GOVERNMENT

Aristotle's classification. Many attempts have been made to classify the different forms of government existing in all countries. One of the oldest is the classification made by Aristotle, a very distinguished philosopher of ancient Greece. According to him, governments should be classified on the basis of two principles—first, according to the number of people who possess supreme power in the state, and secondly, according to the purpose with which the supreme power is exercised.

When the supreme power is vested in one man, who is all-powerful, the form of government is known as monarchy. If, instead of one man, a few persons possess supreme power, it is called aristocracy. Lastly, if many persons exercise that power, the government is known as polity.

Secondly, according to Aristotle, governments should be classified as good or bad. When the ruling authorities,—whether they be one man, a few, or the many,—try to promote the welfare of all persons in the state, that form of government is to be regarded as a good or narmal one. Monarchy, aristocracy and polity belong to this class; they are carried on for the benefit of all people. But such may not always be the case. The ruling person or persons may neglect the general interest, and pursue his or their selfish interests. Such forms of government are bad or perverted. When, however, one man who is the sole authority in a state, uses his powers to further his selfish interest at the cost of others, the form of government is called *tyranny.* It is, therefore the perverted form of monarchy. Similarly, the perverted form of aristocracy is *oligarchy,* where a few persons rule to benefit only themselves; that of polity is *democracy,* which means the rule of many persons who oppress the few.

The classification is unsuitable for modern states.

Such was Aristotle's classification. But it has been found to be defective on several points. Aristotle, for example, regarded democracy as a bad form of government. But today it is looked upon as the best form of government. Moreover, many of the modern governments are of a mixed type; they are neither pure monarchy nor pure democracy, combining, as they do, some of the features of both. India or Pakistan is now governed, in theory, by a king who is the source of all authority. But it is not a pure monarchy as actually the government is highly democratic.

Aristotle's Classification

When the supreme power is in the hands of	Good forms (carried on for the benefit of all)	Bad forms (carried on for the selfish interests of the ruling class)
One man	Monarchy	Tyranny
A few	Aristocracy	Oligarchy
Many	Polity	Democracy

Modern Classification. Modern writers generally follow a direct classification. They divide governments into two classes,—autocracy or dictatorship and democracy.

Dictatorship.

In a dictatorship, the supreme pawers of the state are concentrated in the hands of one individual. He is the dictator. The rise of dictatorships in different countries has been one of the outstanding features of Europe after the first great war. Turkey, Italy, Germany, Russia, Bulgaria and Spain were notable instances of dictatorship. The dictators may decide to retain representative institutions in the country. For example, Hitler occasionally held plebiscites, or called a session of the Reichstag to say 'yes' to his acts. But that does not change the character of the government.

Democracy.

Democracy means that system of government in which the supreme power is vested in the general mass of people. England, America or India is a democracy. Here the government carries out the will of the people.

Democracy can be further classified from different standpoints. In some democracies there is a king who reigns, but does not govern. He is merely a titular chief, while the real executive power is exercised by a group of ministers who are responsible to the people. Such democracies are called *Limited or Constitutional Monarchy*. Other democracies may be regarded as *Republics*. There is no hereditary monarch in these countries. America is a republic. The President of America is elected by the votes of the people.

Limited monarchy or Republic.

Secondly, democracy may be organised on the *unitary* or *federal basis*. In the unitary government, all powers and functions are vested in one government. There may be other local governments. But these derive their powers from the central government, and exercise only such functions as are entrusted to them by the latter. In the federal form of government, there are two sets of government, each with well-defined powers and functions. The local governments are supreme in their own spheres. The central government has no power to interfere with their activities. England has a unitary government, while the U.S.A. has a federal government. India and Pakistan have also a federal government.

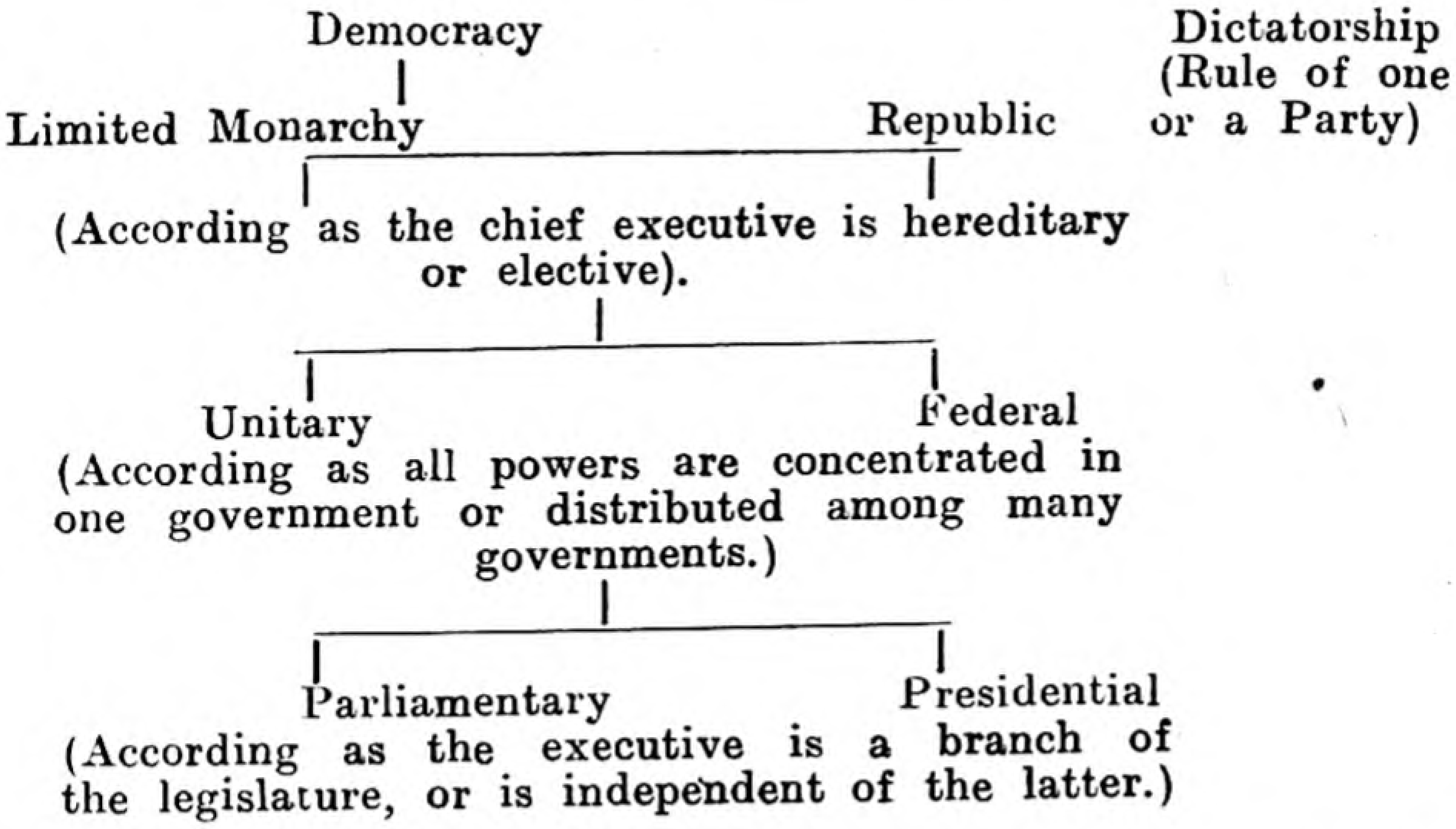
Unitary or Federal.

Lastly, a democracy may have the *Parliamentary* or the *Presidential* type of government.. In the Parliamentary system of government, the executive powers are exercised by a cabinet of ministers who are members of the Parliament and are responsible to it for their actions. It is also called the cabinet system of government. India, Pakistan, England possess this system. When the Parliament passes a vote of no confidence in the cabinet, the ministers resign, and new members are appointed in their places. In the Presidential type of government, the chief executive is elected by the people. He exercises all executive powers. But he is not a member of the legislature, nor is he responsible to it for his policies. He is answerable only to the people, and does

'Parliamentary or Presidential.

not resign even if the legislature censures him. The U.S.A. possesses this type of government.

Modern Classification


Democracy
Dictatorship (Rule of one or a Party)
Limited Monarchy
Republic
(According as the chief executive is hereditary or elective).
Unitary
Federal
(According as all powers are concentrated in one government or distributed among many governments.)
Parliamentary
Presidential
(According as the executive is a branch of the legislature, or is independent of the latter.)

Monarchy. Monarchy is that system of government in which the supreme power vests in one individual. This individual rules by hereditary right, the eldest son automatically becoming king after the death or abdication of his father. Monarchy is of two types,—*viz.*, absolute and limited or constitutional monarchy.

Two kinds of monarchy.

In an *absolute monarchy,* the power of the king is supreme in all affairs of the state. There is nobody to dispute his authority. He is not answerable to any one for his actions. Examples of such absolute monarchy are rare now-a-days. The King of Afghanistan is such an absolute monarch.

The *limited or constitutional monarch* is the nominal head of the country. He reigns, but does not govern. The actual powers are exercised by the ministers responsible to the legislature. India is now under a constitutional monarch. Thus in spite of the presence of the king, the system falls in the class of democracy. We shall, therefore, consider the case of absolute monarchy in the remaining parts of this section.

Absolute monarchy has certain advantages. In the hands of a good monarch, such a system of government is characterised by great vigour and promptness of action. The king promptly attends to all needs, and takes suitable steps to redress the grievances of the people. He passes good laws, and amends bad ones. He appoints the best man to various offices. In this way, the country may be most efficiently governed. This happened during the legendary reign of Harun-al-Rashid or under Akbar.

Merits of absolute monarchy.

But the system is open to serious criticisms. There is no guarantee that the king will be a goood monarch. He may be a bad monarch like Charles I of England. He will then oppress the people. Secondly, even if the monarch is a good one, the system of government is not desirable. The king, like Harun-al-Rashid, may do good to his people. But since he manages all affairs of the government, people are deprived of all opportunities of getting political training. They do not learn to stand on their own legs. If a teacher works all sums for his pupil who does not himself practise anything, the latter will not learn mathematics. So if the good king does everything, people learn nothing as they do nothing. Everything is done for them by the king. Hence people do not learn anything.

Defects.

Aristocracy. Originally aristocracy meant that form of government which was conducted by the best men of the country. The Greek word *Aristos* means the best. Since the best men are few in number, aristocracy now-a-days means government by the few. The Greeks considered this system of government to be the best. As the government is carried on by the best men, it is likely to be administered in the best way. The fittest men occupy all offices, and pass the best laws. The administration will be carried on efficiently.

But who are the best people? There's the rub. There is no known test by which we can decide this very important question. Best men are not easily found. Aristocracies have always degenerated into oligarchies when power has fallen into the hands of a wealthy clique who ruled the administration to promote their selfish end. Even if it becomes possible to choose the best men, this system of government is not preferable. As in monarchy, the ordinary people have no share in the conduct of the government. They do not get any political training. Their mental development is thus checked. They do not get any opportunity for learning things. The modern world has no alternative to democracy where the common man comes into his own, and gets full opportunity for developing his abilities.

CHAPTER 18

DEMOCRACY AND DICTATORSHIP

Modern governments have been classified into two broad groups:—democracy and dictatorship. Both are ancient institutions. The most pressing question of the present day is the problem of democracy *vs.* dictatorship. So we shall discuss the relative merits and defects of these two forms of government.

Democracy is government of the people, by the people, for the people.

Democracy has been defined by Aristotle as that form of government in which the supreme power is vested in the hands of the many, instead of in one or a few.) In his time, the state was organised on the basis of slavery. The slaves had no share in the government of the country. Hence this definition has been broadened in recent times. Democracy is now regarded as that form of government in which the supreme power vests in the people. The people may not, and usually do not rule. But they are the ultimate source of authority in the state. In the words of President Lincoln, democracy means "government of the people, by the people, for the people."

This is, however, the ideal form of democracy. There is as yet no country in the world where the whole population has been granted a share in the government. It was only in 1928 that, England introduced universal adult suffrage. In France, women had no vote for a long time. But these governments were regarded as democratic. What is really necessary to constitute democracy is that the popular will should be supreme in all important matters, and that the government should act according to the public opinion of the country.

Kinds of Democracy Democracy is of two types:—direct democracy and indirect or representative democracy. In a *direct democracy,* people actually rule the country. All citizens meet in a public place, and determine the laws to be passed, and the expenditure to be incurred. They also choose public officials. The city

Direct Democracy.

states of Greece were democracies of this type. Aristotle's democracy was of this type. But this form of government is possible only in small states, containing a small population. But when the size of a state is vast, and the number of citizens is huge, such a form of government cannot work. So modern states do not possess direct democracy. It still survives in some of the smaller cantons of Switzerland.

Indirect or Representative democracy.

Modern democratic states are of the indirect or representative type. In this form of democracy, people do not run the government. They elect a number of representatives at intervals of two to five years, or more frequently. These representatives meet in a legislature, pass necessary laws and control the executive of the country. The people thus govern indirectly through representatives. So it is called both indirect or representative democracy. This form of government is suited to modern states containing a huge population. Henceforth whenever we shall talk of democracy, we shall mean by it representative democracy.

Some modern states contain a few elements of direct democracy.

We have stated that direct democracy is now the exception rather than the rule. Modern democratic states are all organised on the representative basis. But in recent times, the people of some countries became dissatisfied with the working of representative institutions. The representatives, once elected, do not always act according to the popular will. So these states have incorporated in their constitutions, some of the methods of direct democracy, *e.g.*, referendum, initiative and recall. These are the devices by which people seek to retain the ultimate control of public affairs in their own hands. Certain matters which are considered vital are lifted out of the hands of the representatives. These are decided by all the voters.

Referendum.

Referendum means a system in which a bill on certain topics is referred to the votes of the people. These bills may or may not be discussed and approved by the legislature. But they must be submitted to the vote of the people on demand by a number of voters or representatives, or by the chief executive. If the majority of voters approve of the bill, it becomes an act. If not, it falls through. In this way the people themselves keep a check on the laws to be passed. It has been adopted in the constitutions of Switzerland, Germany, Irish Free State, etc.

Initiative.

The *initiative* refers to the method by which a portion of the voters themselves draw up a bill on any subject they consider important. These proposals are then submitted to the legislature for its approval. They are afterwards usually submitted to referendum.

Recall.

The *recall* is a method by which the voters are given the power to demand that any representative or any public official should either resign, or submit himself to re-election. If the majority of the voters are for his resignation, the officer or the representative has to go. In this way the people can control their activities, and change an unpopular representative or official. In the democratic constitution of Germany framed after the first war, the President was subject to recall.

It is based on the principles of libery and equality.

Merits. The great merit of democracy is that it embodies the twin principles of liberty and equality. There is no class of persons possessing special privileges. Democracy is opposed to the theory that some are born to rule and others merely to obey. Government is no longer regarded as the exclusive function of a class, or of a specially fortunate group of people. All persons and classes are granted adequate opportunities by the state to develop their abilities. The government recognises it as its business to promote the welfare of all classes of population. Hence democracy is a highly stable form of government as it is broad-based on the consent of the people.

It provides a stable form of government.

It gives a share in the government to everybody.

Democracy is based on the well-known principle that "what toucheth all should be decided by all." Government is everybody's concern. The measures adopted by it affect everybody at every stage of life. It is, therefore, essential that everybody should be consulted as to the policy that ought to be adopted by the government. Only in a democracy it is possible to give every man and woman an effective voice in the determination of the policy of the government. Another important merit of democracy is that it provides the best methods for safeguarding the rights and interests of all classes of people. When the masses are shut out from all share in the conduct of government, their interests are likely to be neglected by the state. As Mill pointed out long ago, the rights of an individual, or a group of individuals could be safeguarded only when he or they were able to stand up and fight for them. Men who have power would utilise that power to further their own interests. So power should be granted to all people so that the interests of all may be promoted by government.

It safegaurds the interests of the masses.

It might be argued that the classes will look after the interests of the masses better than the latter themselves could do. But this rests on a false theory. The classes may be actuated by the best of intention. But they will not be able to understand the true interests of the masses. Only the wearer knows where the shoe pinches. The upper classes can not feel in the same way as the masses do. Unless the masses are granted a share in the determination of the government policy, their interests will not be safeguarded in spite of the good intentions of the classes.

The greatest merit of democracy lies in its educative influence. It is good for the citizen to feel that he has a share in the formation of the policy of the government. This stimulates his interest in political affairs. Democracy, therefore, tends to foster desirable personal qualities in citizens. It induces in the common man a great love for his country. The government is not an outside authority to be obeyed with resentment. It is their own organisation to promote their interests. Hence they feel a great love for their country. Democracy is therefore less liable to revolutions than any other form of government.

It is the best school for an active citizenship.

It increases the people's love of the country.

Defects. Democracy has its critics and quite a lot of them since the establishment of modern dictatorships. During the years after the first war, there was a revolt against democracy in many countries of Europe. Broadly, two serious charges are levelled against democracy. First, it is argued that democracy is based on the theory that an ordinary man possesses sufficient intelligence to decide public affairs. But the common man is neither politically intelligent, nor sufficiently educated. He does not possess the capacity to understand the problems of a modern community. The masses are normally passive, and incapable of common aim, or intelligent action. They are ignorant, and indifferent to the common affairs of the country. Hence democracy is likely to prove a failure.

Democracy meant government by the ignorant masses.

Secondly, it is argued that democracy is inefficient. It is based on the assumption that all men are equal, that one man is as good as another. So the common man feels that there is no necessity for employing experts, or men possessing special qualifications in public services. But it requires great skill to run an administration. And if amateurs, or ordinary men are placed in charge of the government, its efficiency is bound to suffer. Secondly, it is stated that there is no discipline in a democracy. Democratic governments simply waste time in useless discussion and voting, and so do nothing.

Democracy is inefficient.

It underrates the experts.

Further, it is claimed that such governments are corrupt, and do not promote the common interests of people. Democratic governments are party governments. So their actions are determined not by what the country needs, but by what will please the greatest number of the supporters of the party. The interests of the public are often neglected in the effort to promote the interests of the party.

Parties run the government in their own interests.

Fourthly, we must quote the opinion of Sir Henry Maine who stated that democracy was not favourable to the progress of art, science or literature. It wants to drag down everybody to the level of the masses. Lastly, democracy provides a wasteful and extravagant administration. Individually, each voter is not always careful about the use of public funds.

These charges brought against democracy are not always valid. To say that an ordinary voter is ignorant is not correct. Every electorate contains many classes of people, possessing different grades of intelligence. Some sections of people may be indifferent. But there are also groups of politically-minded people whose intelligence and discussion help to form public opinion. The large mass of ordinary voters are neither completely blind, nor entirely ignorant. Secondly, democracy is not necessarily inefficient. The British democracy was not less efficiently governed than Fascist Italy. It was proudly claimed in favour of the efficiency of Mussolini's government that it made the trains of Italy run punctually according to time. But trains run punctually also in England and the U.S.A.

A reply to these charges.

Masses are not entirely ignorant.

Democracy is not inefficient.

Dictatorship. In this form of government, the whole power of the state is concentrated in the hands of one man. It is an old institution. But old dictatorships were based on military power. The leader or the general who commanded the allegiance of the armed forces exercised an autocratic sway over the people. Such was the dictatorship of Napoleon. In recent times, the leader of the party that succeeded in seizing the reins of the government was the chosen dictator of the country. The leader of the Fascist Party or the Nazi Party occupied a peculiar position in the eyes of his followers. He embodied the supreme expression of the national will. He was divinely inspired, and was the final authority in all matters. The Dictator ruled the country through his party. All other parties were suppressed by force. The ideal of these dictatorships was "one reich, one people, one leader." For this reason, these countries were known as totalitarian states. The authority of the state was absolute over every aspect of the life of the citizens, social, economic or political. Germany and Spain were good examples of a totalitarian or authoritarian state.

Distinction between old and modern dictatorship.

Totalitarian state.

Aims and objects of totalitarian states.

What are the aims and objects of these totalitarian states? They are intensely nationalist in outlook. They glorify the nation-state. The state is the highest and the best organisation in the world. It represents the best in the life and spirit of everybody. The individual has no life apart from the state, and so must be completely subordinated to the state. Secondly, they insist on complete national unity. So all other groups are suppressed, and differences of opinion are not tolerated. The whole nation must think in one way, and must be taught the philosophy of the party. Thirdly, they glorify brute force, and preach militarism. According to Mussolini, life is a perpetual struggle for existence. A similar law prevails among different nations. Nations have also to face a struggle for existence, a struggle for power, for predominance. Hence he preached the cult of war, and ridiculed pacifism. Lastly, dictatorships aim at imperialism. Hitler harped on *"lebensraum"*, or living space for the Germans, of course in other lands. Mussolini dreamt of a Roman empire in Abyssinia.

Difference from democratic states.

It is clear, therefore, that these aims are fundamentally different from those of democracy. Democracy does not believe that the individual should be completely subordinate to the state. The state is not an end in itself. It is only a means to promote the welfare of individuals. The state exists for individuals. Secondly, democracy does not suppress all differences of opinion. It encourages the growth of parties and preaches the supreme importance of freedom of speech and of opinion. It does not support the idea of raising any leader to the position of a God, and does not like that people should follow only a single doctrine and a single party. Lastly, democracy favours pacifism, and opposes the application of brute force in the settlement of political affairs, within and outside the country. It is upheld by the moral and spiritual force of the people. It urges the settlement of all outstanding affairs, not by the method of breaking heads, but by that of patient discussion and agreement.

Merits and defects. Two chief merits are claimed in favour

Merits.

of dictatorship. It is more efficient than democratic governments which are regarded as time-wasting, talking machines. The dictator has nobody but himself to consult. So he can be quick and prompt, and is in a better position to deal with emergencies, and the complexities of the modern economic system than are democracies. Secondly, the fundamental postulate of democracy is that the common man is intelligent and instructed. He is not. People do not need liberty. They crave for a leader, a master. They want action, not talk, to solve the problems of national humiliation and unemployment. Lastly, it is argued that a good despot will govern a country well. He will repeal bad laws, enact good ones, and choose the best men for public services. Everybody will, therefore, prosper.

Defects.

The great defect of distatorship is that it dwarfs the intelligence of the people. The common people have no role to play except obeying and applauding the orders of the Fuehrer and serving as canon fodder. The people having no part in the government of the country cease to take any interest in public affairs. They will be like a child whose parents decide everything. They will lose all powers of doing things. They may even cease to love their country. In a dictatorship, as Mill pointed out long ago, the despot is the only patriot. The suppression of freedom of speech and thought is a backward step in the history of civilisation. Dictators do not like individuality, or the rich differences in individual life and opinion. They want to manufacture all men in the same pattern. They want to turn men into "robots." or mechanical beings, responding only to the will of the despot.

Will democracy survive?

Democracy is not less efficient than dictatorship. The last war was won by the inefficient, effiminate democracies, and the dictators were defeated! The revolt against democracy is a passing phase. The dictator has no root. Unless he can find an equally good successor, his rule is bound to perish with his death. Dictatorship is therefore temporary. There is no doubt about the future of democracy. In spite of its faults and occasional failures the modern world has no alternative to democracy. With it are bound up all the hopes and aspirations of mankind.

Conditions for the successful working of Democracy. If democracy is the best form of government, why did it fail in the majority of the European countries? There are certain conditions that must be fulfilled before democracy can be worked successfully. Mill mentioned three conditions for the successful working of a democratic government. First, the people of the country must be willing to have a democratic system of government, and must possess the capacity for running it. Secondly, they must also be ready to fight for the preservation of their liberties. They must fight for democracy when it is attacked by interested people. They must not surrender their liberty through carelessness or sudden panic. The rise of dictatorships in Italy or Germany was due to some extent to the apathy or unwillingness of people to fight against encroachments upon their liberties. Lastly, they must be willing and able to perform their duties by the government. They must vote honestly and choose the best candidates. They should be actuated by a strong desire to further the common interests.

(*a*) People must be willing and able to accept it.

(*b*) People must fight for it.

(*c*) People must perform the civic duties properly.

The democratic state must solve the problem of economic security for every citizen. It must take steps to guarantee the right to work to every one of its citizens. It must control the economic organisation in such a way that every one gets proper work and proper wages, and is not haunted by the fear of unemployment/ A man who is starving and unemployed will not care much for an abstract liberty. He will follow any man who promises work and food. The state must, therefore, introduce measures for securing greater economic equality; or economic inequality will destroy democracy.

Democracy cannot survive without economic equality.

Lastly, democracy must educate itself. Many of the defects of democracy have been due to the lack of education among

The citizen must be educated.

citizens. The necessity for imparting education was recognised by Aristotle, who laid it down that the ideal state must educate its citizens properly in the spirit of the state. Only when the citizens are educated and understand the obligations of citizenship can a democracy prove successful.

Conclusion.

Democracy has, of course, failed in some countries to find a satisfactory solution of the economic problems of the modern world. But this does not furnish any justification for selecting dictatorship. Democracy may often be abused. But abuse is no argument against use. Because a good thing is not always good, there is no excuse for preferring the bad. The defects of democracy do not justify people to place their trust in a so-called super-man.

CHAPTER 19

OTHER FORMS OF GOVERNMENT

We have seen that democracy has been classified as unitary and federal. In this chapter we shall discuss this and other classifications.

Unitary Government. When all powers remain in the hands of a single organisation, the form of government is known as unitary. The government which is established at the capital of a country rules the whole country. There may be local governments to administer some functions within smaller areas of the country. But these have no independent powers. They derive their authority from the central government which delegates certain functions to them. England has a unitary government. India had a unitary government before 1919. All powers belonged to the Government of India. The provincial governments were subordinate to it.

All powers are concentrated in one government.

This form of government may be highly efficient. All parts of the country are subject to the same system of administration and the same laws. This is a great advantage. But it has a serious defect. A man who has to do all things cannot give equal attention to everything. Jack of all trades, master of none. So a government which has to look after everything will be forced to neglect many functions. The country will suffer as a consequence.

Merits and defects.

Federal Government. In a federation, the powers of government are not centralised in one organisation, but are distributed among a number of organisations. Each set of government is entrusted with definite functions in which it is supreme. There are two sets of government,—central or federal government and a number of local or provincial governments. The powers are distributed among these governments. Each is

In a federation, the powers are divided between two sets of government.

supreme in its sphere. The local governments are not subordinate to the central government.

A federation is formed by the union of several states, or provinces, or areas into one organisation. These states combine together for certain purposes, and form a united government for the administration of subjects which are common to all. But each state does not surrender all its powers. Only matters of common concern are handed over to the federal government, while the state or the province administers other subjects. The American federation was formed in this way. The colonies which successfully revolted against Great Britain joined together and formed a federation by surrendering some powers to the federal government. The Canadian and Australian federations were also formed in this way. So in a federation, the states or provinces which combine together do not lose all powers. They retain their autonomy in local affairs, while by uniting together they secure all benefits of having a common government for common affairs. Hence federation is a means whereby unity is reconciled with local autonomy.

Since the states or provinces combine together without losing their individual existence, a federation has been defined by Dicey as a "union without unity".

Characteristics of a federation. A federal government has the following characteristics.

(*a*) Two sets of government, none subordinate to the other.

Firstly, there are two sets of government,—the central or federal government located at the capital city of the country, and a number of state, or provincial or local governments located in each state or province. The latter are in no way subordinate to the federal government. Each is independent in its sphere.

(*b* Division of powers and functions.

Secondly, the constitution divides the powers and functions of two sets of government. Matters of common concern like Defence, Currency and Coinage, Post and Telegraphs, Banking, etc., are given to the federal government. Matters which are of local concern are entrusted to the state or provincial government.

Thirdly, there is a written constitution which carefully lays down the powers and functions of the two sets of government. If the constitution is unwritten, it is likely to give rise to disputes regarding the distribution of powers.

(c) Written constitution.

Fourthly, since the powers are distributed among two sets of government, disputes are likely to arise between them. So a *Federal Court* is established to settle these disputes. This court is entrusted with the powers of interpreting the constitution, and of deciding all disputes regarding the division of powers and functions.

(d) A court to settle disputes.

Lastly, in a federation, each citizen has to obey two sets of government. He has to obey the laws passed by the federal government and by the government of the state or province in which he lives. In the present federation of India, a citizen of a state has to obey the laws passed by the Central Government and by the Government of his state.

(e) Double allegiance of the citizens.

Types of Federation. It is usual to distinguish between two types of federation,—American and Canadian. In the American federation, a definite number of departments have been given over to the federal government. All other powers remain in the hands of state governments. In technical language, it is stated that residual powers belong to states. In the Canadian federation, a limited number of departments have been given to provincial governments. All other power and functions remain in the hands of the federal government. That is, residuary powers belong to the federal government. The present Indian constitution is of the Canadian type.

American type.

Canadian type.

Merits. A federal government is best suited for the administration of large countries. A unitary government cannot attend equally to the needs of every part of a vast country. By trying to do everything, it will be unable to perform anything satisfactorily.

It is suitable for large countries.

A federal government avoids this difficulty. The federal government conducts the affairs of common concern which require uniformity of regulation. State governments attend to the needs of their particular areas. Nobody tries to do too much. There is no government overburdened with too many functions. It, therefore, enables a country to enjoy the benefits of division of labour in the political sphere.

It secures the benefits of division of labour in politics.

Secondly, the people of a country are thus able to enjoy the benefits of a common government with regard to affairs of mutual concern. At the same time they obtain all benefits of local self-government. It combines the advantages of national unit with those of local autonomy.

It combines the benefits of national unity and local autonomy.

Thirdly, in a unitary government, uniform laws are passed for all parts of a country. But different parts may have special problems of their own. Uniformity of legislation may be unsuitable in their cases. West Bengal, for example, may have some special difficulties. Delhi is far off, and a government located in that distant city may not be sufficiently alive to their difficulties. When the newspapers published harrowing accounts of a large number of people dying of starvation in the streets of Calcutta, the officials of Delhi characterised it as "over-dramatising." They remained content while the people died for want of food. This is only natural. Those who are on the spot can understand the needs of their areas better than others who live at a comfortable distance. In a federation, state governments are free to pass laws suited to their localities to meet their special problems.

Each part can pass laws suited to its needs.

Lastly, the people possess better opportunities for getting political training in a federation than in a unitary state. As they take part in the administration of state or provincial governments, their interest in political affairs is stimulated. They get better training in their civic duties.

It provides better opportunities for political training.

It makes administration ocmplicated and expensive.

Demerits. The federal government has some serious disadvantages. The country has to maintain a large number of governments. This fact increases the expenses of administration. A unitary government is less costly as the country has to meet the cost of only one administration.

Secondly, the existence of two sets of government, each with independent powers, is likely to give rise to complexities of administration. In the U.S.A., each state has passed different marriage and divorce laws. As a consequence, a person may be regarded as divorced in one state and married in another which does not recognise that particular ground for divorce.

There is a loss of responsibility in a federation.

Thirdly, in a federation, the responsibilities of administration are divided between two sets of government. To divide responsibility is to destroy it. When a new situation arises, each government may try to shift the responsibility to the shoulders of others. This happened in India in 1943. In the critical food situation which existed in Bengal in that year the central government blamed the provincial government. The Bengal Government blamed the central government, while the country looked on helplessly and people died in millions.

It means weak government.

Fourthly, federation means weak government. Each government has limited powers. None has camplete control over all departments. So each is weak. This weakness is specially noticeable in the administration of foreign and internal affairs.

Some states may secede.

Lastly, in a federal government there is always a danger that some states may combine together and try to secede from the federation. In that case, a federation is always in danger of breaking up.

Future of federation.

In spite of its defects, federalism is being increasingly adopted as a form of government. It is the only way in which reasonable autonomy for the units can be combined with the supreme necessity of having a common government over as large an area as is possible to include. Many writers go so far as to suggest that the future world-state should be organised on the basis of federation. A federal organisation will reconcile the interests of true nationalism with those of internationalism.

Cabinet and Presidential Systems of Government

The government is carried on by ministers responsible to the legislature.

Cabinet System of Government. In this form of government, all executive powers are exercised by a cabinet of ministers. These ministers are usually members of the legislature. They are individually and collectively responsible to the legislature for their actions. If the legislature passes a vote of no-confidence against them, they resign their offices. Other members who possess the confidence of the legislature are then appointed as ministers. The members of the cabinet are usually selected from among the leaders of the party or parties which command a majority in the legislature. Each minister is in charge of one or more departments. There is generally a nominal head of the government who does not exercise any power. Great Britain, India, Pakistan and other British Dominions possess this type of government.

Since the ministers are responsible to the legislature or Parliament as it is called in England, this system of government is also known as Parliamentary or Responsible Government.

It secures harmony between the executive and the legislature.

Merits and Defects. The great merit of this system is that there is perfect harmony between the legislature and the executive. The members of the cabinet who conduct the executive government are members of the legislature and hold office as long as the latter supports them. As the government is thus under the control of the legislature, it cannot grow despotic. Secondly, being in charge of the government, ministers are in a position to know which laws should be passed. They can ask the legislature to pass such laws. Since the legislature has confidence in them, it will pass those laws. There is thus no room for any conflict between the legislature and the executive, no working at cross purposes between these two organs of government.

It may fail in a crisis when unity of action is necessary.

This system of government is preferred by the majority of Indians. But we should not be blind to its defects. The cabinet consists of a large number of ministers. Too many men, too many minds. When an emergency occurs, calling for united vigorous action, this system may fail to meet the situation. Each minister may have a different solution to meet the crisis. It may be difficult to secure unanimity of opinion and action. Prolonged discussion of the various plans will be necessary. Hence prompt action cannot be taken. If one man is vested with all powers, he can take quick decisions as necessary. In emergencies like war, the cabinet system may not prove as successful as the presidential form of government.

It may not secure continuity of policy.

A second defect lies in the fact that a continuity of policy in home or foreign affairs cannot be secured under this system. The ministers may be forced to resign as a result of an adverse vote in the legislature. The new ministers may adopt a different policy. This introduces difficulties in the conduct of foreign affairs where continuity of policy is urgently required.

The government is carried on by the President who is not responsible to the legislature.

Presidential System. In the presidential form of government, all executive powers are given to one man. He is called the President, and is elected by the votes of the people. He holds office for a number of years. He is not a member of the legislature, and is not answerable to it in any way for the exercise of his powers. He does not resign if the legislature passes an adverse vote against him. He may have a cabinet of ministers to help him. But these ministers cannot become members of the legislature, and are not responsible to it.

The U.S.A. possesses this system. All executive powers belong to the President, who is elected by the people, and hold office for four years. He does not sit in the Congress.

Merits and Demerits. This system is highly effective in times of emergencies, and provides the most efficient government during such periods. All executive powers are exercised by the President. He has not to consult a large number of individuals. So he can decide quickly, and take prompt action to meet great emergencies like war.

It secures prompt action in emergencies,

Secondly, the President cannot be removed from office during his tenure. So he can follow a continuous and well-planned policy in all affairs. This is of special advantage in foreign affairs.

and continuity of policy.

But the great defect of the Presidential form of government is that it may give rise to conflicts between the executive and the legislature. The President may not be liked by the legislature. He may belong to one party while the opposite party may have a majority in the legislature. Each will then try to defeat the other. Interests of the country will then suffer as a result of the lack of harmony between the two organs of government.

But it may give rise to conflicts between the executive and legislature.

CHAPTER 20

THE CONSTITUTION

The government of every state is organised and carried on according to certain rules and principles. These rules and principles are embodied in what has been called a "constitution". A constitution is a set of rules or laws which determine the organisation of the government, the powers and functions of the different organs of the government and the principles according to which the government is to be carried on. The constitution determines the framework of the government. It includes first, the manner of the organisation of the different departments of the government; secondly, provisions for amending the constitution; and lastly, a Bill of Rights guaranteeing the rights of the people. All constitutions, however, do not contain a Bill of Rights.

Constitution is a set of rules determining the organisation of government.

A constitution may be written or unwritten. *A written constitution* is one in which the rules determining the organisation of the government have been written down in a document or a series of documents. The constitutions of the U.S.A. and India are written.

Written constitution.

An *unwritten constitution* is one in which the rules determining the organisation of the government have not been set down in black and white. The government is carried on according to the customs, conventions and principles, accepted by all parties. The British constitution is the only instance of an unwritten constitution.

Unwritten constitution.

But this distinction is not always clear-cut. There is no constitution which is entirely written or unwritten. All written constitutions contain unwritten elements. In India, for example, the rule that the Governor-General or the Governor should hold office for five years was unwritten. It was based on a convention. Similarly, all

The distinction between the two is often vague.

unwritten constitutions contain written elements. The British constitution contains many written parts, *e.g.*, the Parliamentary Act of 1911 (which determines the powers of the two houses of Parliament), Equal Franchise Act (which introduces universal adult suffrage), etc.

Hence this classification has been given up by all writers. Constitutions are now classified as rigid or flexible.

Rigid and Flexible Constitutions. Lord Bryce has classified constitutions into two classes,—rigid and flexible. The distinction depends on the methods by which the constitution can be amended.

Flexible Constitution. If the constitution can be amended or changed by the same process as is required to pass an ordinary law, it is regarded as *flexible*. No. special procedure is necessary to pass any amendment to the constitution. Usually an ordinary law is passed by the legislature, after being read three times in the two houses of legislature. A law amending the constitution can also be passed in the same way.

The British constitution is flexible. Any important change in the constitution can be made by the Parliament in the same way as it passes a law of contract, or a law prohibiting lotteries. The King-in-Parliament can change the constitution in any way it likes in the same way as it alters an ordinary law. It will follow the same procedure when it decides to change the rate of income tax, or to abolish the House of Lords. A Bill making the change will be read three times in each House. After being approved by both, it will be effective on being formally assented to by the King.

How can the British constitution be amended?

The great merit of a flexible constitution is its ***adaptability***. It is very easy to change the constitution. So as the conditions of the country change, the constitution can be amended to meet the new situation. If it is difficult to pass amendments when these are necessary, the country may have to face revolutions designed to alter the constitution. Under a flexible constitution revolutions do not occur as these are unnecessary. Such a constitution is also highly *elastic*.

But such constitutions are very *unstable*. As changes can be made easily, changes may often be made easily. Every gust of popular passion, every change in popular opinion may be followed by a change in the constitution. Hence a flexible constitution lacks permanance, or stability.

Rigid Constitution. Under a rigid constitution, amendments to the constitution cannot be passed in the same way as ordinary laws. A special procedure must be followed before the constitution can be altered. Constitutional laws are supreme over the ordinary laws, and can only be amended by a different process. Rigid constitutions are mainly written.

A rigid constitution possesses the merits of *certainty, definiteness* and *stability*. As it is mainly written, the provisions of the constitution are clear and definite. Stability is its chief merit. It cannot be changed by every passing whim of the people. Amendments are difficult to pass. So changes in the constitution will be made only when absolutely necessary. A rigid constitution is, therefore, more stable than a flexible one. Hence it is now being favoured by almost every country.

But a rigid constitution has also some defects. In course of time, the conditions may change in a country, and it may be necessary to amend the constitution. As it is difficult to pass amendments, essential changes cannot be introduced in the constitution in due time. This is often a source of danger. Unable to secure the necessary changes, the people may have recourse to revolution. As in everything, too much rigidity may invite troubles.

How can the constitution of the U.S.A. be amended?

The constitution of the U.S.A. is rigid. The Congress can pass ordinary laws. But it cannot amend the constitution as it can pass an ordinary law. A special process is followed in amending the constitution. First, resolutions for amending the constitution must be passed in both Houses of the Congress by a two-third vote. These are then submitted to the vote of state legislatures. If three-fourths of state legislatures approve of them, they become effective. Ordinary laws are passed by the Congress by a simple majority, and no reference to state legislatures is necessary.

The constitution of India is rigid as a special procedure is necessary for amending it. While the Parliament can pass ordinary laws by the vote of a majority, Bills amending the constitution can be passed only by the votes of a two-third majority.

The constitution of Pakistan is flexible as the Constituent Assembly of that country is fully competent to amend the constitution in the same way as in the case of ordinary laws.

CHAPTER 21

ORGANS OF GOVERNMENT AND SEPARATION OF POWERS

The functions of a modern government are usually divided into three parts,—legislative, executive and judicial. The legislative function consists mainly in the making of laws. The executive function is concerned with the administration of these laws. The judicial function relates to the interpretation of these laws and to the punishment of law-breakers.

There are three corresponding organs, *viz.*, the legislature, the executive and the judiciary, each charged with the duty of carrying out one of these functions. The legislature makes laws. The executive enforces these laws, and sees to it that all people obey these laws. If anybody breaks any law, he is hauled up by the executive before the judiciary. The judiciary decides whether the person is guilty or not. If he is found guilty, it awards suitable punishment to the law-breaker.

Theory of Separation of Powers. We know that there are three organs of government, legislature, executive and judiciary. What should be the relation between these three organs? There is a theory which discusses this problem. It is known as the theory of separation of powers. Its most important advocates are Montesquieu, a French writer of the 18th century and Blackstone, a British writer. The theory was advocated in order to safeguard the liberty of citizens.

The three organs should be given to separate individuals.

According to this theory, the legislative, executive and judicial powers of a government should be entrusted to separate organs, each independent of the other two. If this is done, nobody will be able to oppress the people. If all powers are placed in the hands of one person, or a body of persons, he or they may exercise despotic powers having none to check them. Liberty of the people will be insecure. This actually happened in ancient times when the king exercised all powers. He made any law he liked, and was himself the prosecutor and judge. He passed arbitrary laws and executed them tyrannically. As a result, people were often oppressed. If executive officers are also judges, they may arrest a person illegally, try him arbitrarily and put him to jail. But when these powers are given to two independent persons, executive officers will not dare to arrest a person illegally for fear of judges. Hence in order to protect the liberty of the people, powers should be separated, and given to different and independent organs. Each would then check the arbitrary actions of others. Individual liberty will then be secure.

Concentration of powers in one hand is the very definition of tyranny.

Criticism. The theory has much truth in it. But it exaggerates the necessity for separation of powers. Absolute separation of powers is neither possible, nor desirable.

An absolute separation of powers is not possible in practice. The functions of a government are so intermixed that they cannot be separated. Everywhere the executive exercises some legislative functions. The legislature controls the executive. The judiciary makes new laws while interpreting existing laws. If functions are kept completely separate, it will make the smooth working of government impossible.

Separation of powers is not practicable.

All the organs are inter-dependent.

Secondly, such strict separation of powers is not to be desired in practice. If the three organs are absolutely independent of one another, this will give rise to many difficulties. Government is an organic whole. All the parts of a government must work in perfect harmony and co-operation. Otherwise, efficiency will suffer. If hands refuse to co-operate with the mouth, the whole body will perish for want of food. Similarly, if different organs do not co-operate with each other, there will be frequent deadlocks. The administration of the country cannot be conducted efficiently.

This is not desirable in practice.

All organs are not equal in power.

Thirdly, all organs cannot be entrusted with equal powers. In that case possibilities of deadlock will increase. If all organs have equal powers, who is to decide disputes between them? The legislature is usually made the most powerful of three organs.

Separation is not necessary to safeguard liberty.

Separation of powers is not essential for safeguarding individual liberty. This can be secured without separation of powers. Eternal vigilance is the price of liberty. Liberty depends on the maintenance of a strong public opinion, and on the spirit of the people.

Hence the theory is no longer accepted as valid. But it contains an important element of truth. Powers of government should not be concentrated in one organ. And the judiciary should be independent of both the executive and the legislature so that it can fearlessly protect the rights of the people.

How far is the theory carried out in the British Constitution?

The Theory and the British or American Constitution. The theory has not been fully carried into effect in any constitution. In the British constitution, the executive powers are exercised by a cabinet of ministers, who are, however, members of the legislature, and are responsible to the latter for their policy. Hence the cabinet combines legislative and executive functions. The Lord Chancellor is a member of the cabinet, *i.e.*, the executive. But he is the President of the House of Lords, an organ of the legislature. He is also the head of the judiciary. The judicial and executive powers are intermixed in his hands. The House of Lords is a branch of the legislature. It is also the highest court of justice in England. Hence it combines legislative and judicial functions.

Or in the American Constitution?

The theory has, of course, been adopted to some extent in the constitution of U.S.A. The three powers have been entrusted to three organs that are to some extent independent of one another. The president who is the chief executive is elected by the people. He cannot sit in the legislature. But even here strict separation has not been carried out. The President appoints judges of the Supreme Court. He can veto acts passed by the Congress, *i.e.*, the legislature. So he can interfere with the work of the latter. The Senate is a branch of the legislature. But it has the power to approve of treaties made with foreign countries, and of appointments made to high posts. So it exercises both executive and legislative functions.

Separation of Powers in India. The theory has not been adopted in the constitutions of India and Pakistan. The executive powers are in the hands of a cabinet which is a committee of the legislature. Thus the cabinet combines both executive and legislative powers.

The three organs have not been separated in India.

The District Magistrate is the chief executive officer in the district. He is the head of the police, and in that capacity, he can arrest and prosecute a person. He also acts as a judge, and in that capacity, can try the case of a person arrested by his order, and pass any sentence. Thus he combines in himself executive and judicial powers. It is, of course, harmful if the separation of powers is carried too far. But not to carry it out at all (as in the case of the District Magistrate) causes greater harm.

Legislature

Functions. It is the most important organ of the modern state. Its primary function is to pass laws for the good government of the country. All new proposals are submitted to the legislature in the form of bills. If the legislature approves of them, they are passed into laws. In this way new laws are made. Old laws are repealed or changed to suit modern conditions.

(*a*) Making of laws.

But the business of the legislature is not merely to make laws. It also performs other important functions. It discusses and approves of the budget of the government. It has usually complete control over the expenditure and income of the government. All items of expenditure to be incurred in different departments are submitted to the legislature for its approval. It is also

(*b*) Controlling the finances of state.

the final authority to determine the way in which revenues of the government are to be raised. Taxes are levied by the government with its approval. Thus it controls the purse.

(c) Controlling the executive.

In countries where the cabinet system of government prevails, the executive is controlled by the legislature, and is responsible to it for its action. The legislature keeps strict watch over the activities of ministers, and censures them if necessary. The ministers have to resign if the legislature passes a vote of no confidence against them. The legislature, therefore, makes and unmakes ministers.

(d) Judicial and executive functions.

Lastly, it is also entrusted with some judicial and executive functions. It may impeach ministers and other high officers, and try these impeachments. It may pass resolutions for removing a judge from his post if he is found guilty of misconduct. In the U.S.A., the Senate has the power of approving appointments made by the President to the highest posts.

Organisation. Usually the legislature in a modern state is composed of two houses, or chambers,—the Upper House or the Second Chamber, and the Lower House or the Popular Chamber.

Organisation of the second chamber.

The upper House is usually less powerful of the two chambers. It may be constituted on a hereditary basis as in the case of the House of Lords in Great Britain. The eldest sons of all peers of England automatically become members of the House of Lords on the death of their father. Or, it may consist of members who are nominated by the government as in Canada. In a large majority of cases members of the upper House are elected on the basis of a more restricted franchise, and for a longer period than in the lower Chamber. This is the case in India where members of the Council of States and of State Legislative Councils are elected on the basis of a restricted franchise.

The lower House or the popular chamber is composed of members elected by the votes of the people. The franchise is the widest one possible. It is usually the more powerful chamber of the two. It has generally the sole power to sanction the expenses of the government, or the levying of taxes. In countries with the capinet system of government, it controls the ministers.

Organisation of the lower House.

Merits and Demerits of Bicameralism. When the legislature is composed of two houses, the country is said to possess a bicameral system. Why is it that almost all countries possess two houses of legislature instead of only one? *What are the reasons for the adoption of the bicameral system of legislature?*

The main justification for a second chamber lies in the fact that it serves as a brake upon rash and hasty tendencies of the popular chamber. The members of the lower House may be swept away by currents of strong, popular feelings, and may pass an act that the people may not like on second thoughts. The second chamber acts as a brake on popular passions, and by imposing delay, allows time to the people to cool down.

Advantages of a second chamber.

Secondly, the second chamber acts as a revising body. The lower House has generally so much business to do that it may not find adequate time to examine all bills with care. The second chamber is not so much overburdened with functions. So it can revise these bills carefully. This is a great advantage.

(*ii*) Revision of laws.

Thirdly, another important reason for the existence of a second chamber is that it enables a country to secure representation of special interests and classes. In a federation the states which join together are usually given equal representation in the second chamber, while the popular chamber represents the people.

(*iii*) Representation of all interests.

Lastly, as Mill pointed out long ago, power is likely to grow despotic if it is unchecked. If the lower chamber has nobody to check it, it may grow despotic. The existence of a Second Chamber curbs its despotic tendencies. There is much truth in the saying that in the multitude of counsel lies wisdom.

(*iv*) It checks the despotism of the lower house.

But many modern writers, like Laski, are against bicameralism. In their opinion, second chambers cannot serve as a check on the lower House. The latter represents the people, and no power can check the will of the people in a democracy. Secondly, they argue that if a Second Chamber agrees with the Lower, it is superfluous. If it disagrees, it is pernicious, because it may prevent popular representatives from carrying out the wishes of the people. Thirdly, the second chambers usually contain representatives of propertied classes and other vested interests. So they oppose all progressive measures. In India for example, the Council of State always supported government measures against declared public opposition. Lastly, second chambers increase the cost of administration, and introduce complications in the making of laws.

Demerits. **A second chamber is superfluous.**

It becomes the home of vested interests.

Executive

Functions. The executive is that organ of government which executes laws, and is concerned with the conduct of the administration. The executive exercises a number of functions in the modern state. First, it is entrusted with the function of administering the country. It looks to the maintenance of law and order within the state and enforces obedience to laws. Secondly, it controls the army, navy and air force. It has charge of the organisation of the armed forces, and is entrusted with the duty of protecting the security of the country against foreign attacks. Thirdly, the executive is in charge of the conduct of foreign affairs of the country. It appoints and receives ambassadors, consuls; negotiates treaties with other countries etc. Fourthly, the executive also exercises some legislative function. It summons, prorogues and dissolves the legislature in some countries. It has got the power

Maintenance of law and order.

Maintenance of Defence Services.

Conduct of foreign affairs.

Legislative functions.

to veto laws passed by the legislature. It can also pass ordinances during periods of emergency. In India and Pakistan, the executive can pass ordinances at any time. Lastly, the executive has also some judicial powers. It appoints the judges. It can grant pardon to offenders.

Organisation. The executive may be of two types, *nominal or titular and real.* In countries with the Parliamentary form of government, there is usually a chief executive who is simply a titular head, He may be a hereditary king as in England or Pakistan, or he may be elected President as in India or France. Technically he is regarded as the head of the government. But he does not exercise any real power. This type of executive is known as nominal or titular executive. The real executive is that individual or groups of individuals who exercise real power in the country. The President of the U.S.A. is an instance of a real executive, and in countries with Parliamentary form of government the Cabinet (or the Council of ministers) is the real executive.

The executive is organised into two parts—*the political* part and *the permanent* part. *The political executive* consists of those members of the executive who hold office generally for temporary periods, and are appointed from among the members of the legislature. The ministry in England and the Council of ministers in India are instances of a political executive.

The ministers have to resign when the Parliament passes a vote of no confidence against them. *The permanent executive* consists of the government officials or members of the civil service whose tenure of office is permanent. While the political executive determines the policy of the government, the permanent executive carries out these policies under the direction of the political executive.

The executive government is organised in many ways. In Parliamentary forms of government, there is a chief executive who may be a hereditary king (as in England or

Pakistan), or who may be elected (as in India or France). Though he is the head of the executive, he has no real powers. He is simply a titular head. The actual executive powers are in the hands of a cabinet consisting of a number of ministers. The ministers are members of the legislature, and hold office so long as the majority of members of the legislature support them. There is a Prime Minister who is the head of the cabinet.

In the presidential form, the chief executive is the President who is elected for a number of years by the votes of the people. He exercises all executive power. He may be assisted by a cabinet of ministers who are merely his advisers.

Civil Service.

Below the ministers, there is a large body of officials who carry on day-to-day administration of different departments, according to the orders of the cabinet or the President. These officials form the *Civil Service* of the country. They are selected on the results of competitive examinations. Their tenure of office is permanent.

The executive is organised in various departments, *e.g.*, the Home, the Defence, Foreign affairs, Finance, Judicial, Education, Industries and Trade, etc.

Judiciary

Decision of disputes.

Interpretation of laws.

Making of laws.

Functions. The Judiciary consists of the judges of various courts established in the country. Their function is to decide cases according to the laws of the country. When a person is accused of violating any provision of a law, he is usually brought before one of the courts. The judges hear the evidence, and decide whether he is guilty or not. A second function of the judiciary is to interpret the laws passed by the legislature. Lastly, the judiciary also exercises legislative functions. Whenever any case is brought before the judges, not covered by the provisions of any existing law, the judges interpret the case in accordance with justice and equity. These decisions are usually followed in subsequent cases. They are known as *judge-made* laws.

Federal Judiciary and its functions.

In a federation, the judiciary performs another highly important function. The federal judiciary is entrusted with the task of interpreting the written constitution of the country. Its business is to see that the federal government and governments of the federating units work within the spheres allotted to each of them by the constitution, and that neither encroach upon the functions of the other. If the federal legislature passes a law on a subject which falls within the sphere of provinces, the court will declare such a law as invalid.

Organisation. Judges are usually appointed by the executive as in India. In the U.S.A., some judges are appointed by popular election. This is not desirable. The ordinary people are not competent enough to choose the best man from among a number of candidates. Though the judges are appointed by the executive, they have independence of tenure, and cannot be removed from office according to the whims of the executive.

Benefits of an independent judiciary.

If the theory of separation of powers contains any fundamental truth, it is that the judiciary should be an independent organ. Unless the judges are independent, they will not always find sufficient courage to give impartial judgment in cases brought before them. If the judge knows that he can be dismissed at any time by the king or the government, he will be afraid to give any judgment that is likely to displease the authorities. In that case, citizens will not enjoy any liberty. The tyrant king may bring a false case against them before the judges and the latter, afraid of displeasing him, will convict the persons, thus giving the judgment in favour of the king. It is absolutely essential to secure the independence of the judges so that they will not be forced to give judgment against their conscience. In every advanced country, independence of the judges is guaranteed by the provision that judges cannot be removed from office by the executive on the lightest pretexts.

Approved by
Dr J.L. Sarup

Sahiba - Shital
Srinagar (

CHAPTER 22

THE ELECTORATE

What is electorate?

The electorate consists of the general body of voters in a country. At the time of each election, the electorate determines by vote who are to be the members of the legislature. While choosing one candidate or another, they decide indirectly the measures which the government should carry out.

Functions of the electorate.

For example, let us suppose that one candidate supports nationalisation of industries and another opposes it. If the voters cast their votes for the second candidate, it is quite clear that they do not want the government to follow the policy of nationalisation. Thus the functions of the electorate are to select members of the legislature, and to approve or disapprove of the measures of the government.

In this chapter, we shall discuss the composition of the electorate, the method of election, the election of representatives by minorities, and the control of the electorate over government. Who are to be granted the right to vote? All the adults of a country or a particular portion of citizens? How should the election take place, by the direct, or the indirect method? Is the voting to be secret or open? These problems concern the nature of the electorate, and the composition of the legislature. The success of a democratic government depends to a large extent on a wise solution of these questions.

What should be the true basis of franchise?

The Basis of Franchise. In our discussion of the rights of citizens, we have seen that the right to vote is an important political right. By the exercise of this right, citizens determine the composition of the legislature, and the measures that the government should adopt. The important question is—should every adult citizen be granted the right to vote, or should it be restricted to those who are supposed to possess the capacity to exercise it wisely? When all adult citizens are granted the right to vote, irrespective of sex, race or class, the system is known as *universal adult suffrage*. The problem boils down to this,—should the franchise be based on universal adult suffrage, or not?

Arguments for universal adult suffrage.

Those who are in favour of universal adult suffrage advance the following arguments in its favour. The right to vote is an inherent right of all persons. As sovereignty resides in the people, so all persons should have a share in the exercise of sovereign powers. They should, therefore, be given the right to vote, and the right to select their representatives who are to conduct the government on their behalf. Secondly, it is argued that the state is the common organisation of all, and the functions performed by the state vitally affect the life of every individual in the state. Hence everybody should have a share in the determination of the policy of the government. This they will get if they are granted the right to vote. "What toucheth all should be decided by all." Thirdly, it is stated that to exclude any group of persons from the franchise is unjust and undesirable. These persons will become discontented or indifferent. They may think that the public affairs do not concern them. They will then neglect to carry out their civic duties. This is clearly undesirable. Whenever any group of persons are excluded from the franchise, their interests are neglected by ruling authorities. This is only natural. The government will humour those who can make or unmake them by their votes. They will neglect others who are voteless and powerless. Hence the grievances of these classes will remain unredressed. But if all sections of the people have the vote, the government will be forced to look to the interests of all classes of persons and to redress the grievances of all. So if it is the business of the state to promote the well-being of all classes of people, everyone of them should enjoy the right to vote.

But this opinion is not universally accepted. There are many

Arguments against universal adult suffrage.

writers like Lecky, Maine and others who point out that the vote is not an inherent right of the people. It is a privilege to be enjoyed by all those who possess the capacity to exercise it in a satisfactory manner. The masses are illiterate and ignorant. They have neither the aptitude, nor the intelligence for casting their votes wisely, or to choose the best candidates. These people, therefore, suggest that the right to vote should not be granted to everybody. It should be restricted. They suggest the following restrictions on the right to vote.

Proposed restrictions on franchise.

(*a*) Education. "Universal teaching must preceede universal enfranchisement."

The first restricion is with regard to education. Those who are not educated do not possess the capacity to judge important public affairs. Mill considered it "as wholly inadmissible that any person should participate in the suffrage without being able to read and write............" Hence only those who possess some education should be granted the right to vote. "Universal teaching", to quote Mill again, "must precede universal enfranchisement." Before adult suffrage is introduced in the country, the people should be educated.

Two answers can be given to this argument about restricting the franchise. First, mere ability to read and write does not necessarily endow a person with the capacity to judge of the public affairs. An individual may be shrewd and intelligent without being able to read and write. Illiteracy is one thing, ignorance or stupidity is another. An illiterate person need not necessarily be ignorant or stupid. Illiterate people can understand public affairs if they are shrewd and intelligent. Secondly, if education is made a condition for the grant of the suffrage, it is the duty of the state to educate all citizens. It is unjust to withhold franchise on the ground that a person is not educated. If he is uneducated, it is due to the negligence of the state. Why should he be punished for the negligence of duty on the part of the state?

A second restriction that has been proposed is with regard to property. People who do not own some property should not be granted the right to vote. The reason was furnished by Mill. "Those who pay no taxes disposing by their votes of other people's money, have every motive to be lavish, and none to economise." So it is generally prescribed that those who pay taxes or rates of a certain amount, or own some property should be granted the right to cast votes. But this restriction is no longer considered just. Poverty is no crime; and no citizen should be denied this most essential right only because he is poor.

(*b*) Property.

Hence the modern state has no alternative to universal adult suffrage. It has been accepted in India, Russia, England, the U. S. A., and other countries. But it should be noted that even in states having universal adult suffrage, all citizens have not been enfranchised. Some persons have been excluded. Minors are always excluded as they are considered too young to possess sanity of judgment. Persons who are insane or lunatic are also excluded for similar reasons. Those who are bankrupt, or who are convicted of serious crimes are not given the right to vote. In some states, women are also excluded. In the next section, we are going to consider the propriety of this exclusion.

Who are denied the right to vote?

Female Suffrage. Women have been excluded from the vote in many highly democratic countries like France. In England, some of them obtained the vote only in 1918, and all others only in 1928.

There is a substantial body of opinion which opposes this step. In their opinion, the proper sphere for women is the home. They should not meddle with things that do not belong to their sphere. If women are granted the vote they would neglect their homes. The interests of the community will suffer as a result of their negligence of household duties. Secondly, it is argued that if women are given the vote it may destroy the domestic peace. If the wife agrees with her husband, her vote will be a mere

Arguments against women suffrage.

duplicate of that of her husband. If she disagrees with her husband regarding the choice of the candidate, the peace of the home may be disturbed by such disagreement.

Arguments for women suffrage.

But these arguments do not furnish sufficient reason for withholding the vote from women. If sovereignty belongs to the male citizens, it also belongs to the women. Sovereignty is not the monopoly of the masculine sex. So women should be given a share in the exercise of sovereign powers. Secondly, like men, women are equally, or perhaps more, interested in the maintenance of good government. Being physically weaker, they need the protection of the state more than the men. Hence they should have a vote to determine the policies of the government. Thirdly, women have proved their capacities in many walks of life. They have distinguished themselves as scientists, and poets and have recently taken an admirable part in the defence of their countries. Is it not unjust to refuse to grant equal political rights to them? To the argument that the vote of the wife may be a duplicate of the huband's vote, it may be replied in the language of Mill that "it is a benefit to human beings to take off their fetters even if they do not desire to walk." The right to vote will increase the importance of women in the household, and both husband and wife will gain much by mutual discussion about the programmes of different parties. The influence of women will purify the political atmosphere and raise it to a high level.

Suffrage in India. During the period of the British rule in India, suffrage was extremely limited. Votes were given to a very small percentage of the population, and franchise was based mainly on property qualifications. That is, only those persons had votes who possessed a minimum amount of property, and so paid some taxes or rates. Educational qualifications were also introduced. When proposals were made for the introduction of adult suffrage in India, this was opposed on the ground that the vast majority of the people were illiterate. They lived in the villages where they had no means of obtaining information upon the public questions. Most of the village people did not even see a newspaper, neither could they read one. Not only were the people unfit for adult suffrage, but there would be serious administrative difficulties in managing such a huge electorate.

But fortunately most of the Indian parties advocated adult suffrage, and this has been introduced in the present constitution of the country. Illiteracy does not furnish any ground for withholding the franchise. The state should organise compulsory education in the village to educate the people. Moreover, India is the home of many races and communities. If adult suffrage is introduced, it will be possible to secure adequate representation of all classes of people in the legislature. The general election held in the year 1951-52 has shown that the administrative difficulties can be avoided. The modern state has no alternative to adult suffrage, and India has rightly granted the right to vote to all adults, irrespective of race, religion or sex.

Direct vs. Indirect Election. The next important question is with regard to the method of election. There are two different ways of electing the representatives.

Merits of direct election.

When the voters directly elect the representatives by their votes, the system is known as direct election. This system is generally preferred by democratic opinion. Its chief merit lies in the fact that it stimulates the interest of the voters in public affairs. Since the voters themselves elect the representatives they have to study the policies of the different candidates. The candidates themselves appear before voters, and explain their programmes in order to get votes. In this way, voters come to know different sides of a question, and get some education in important political problems.

Defects of direct election.

The opponents of this system have urged that this system leads to great evils. The majority of the people are ignorant and illiterate. They do not possess the capacity to understand the relative merits of different policies. Led by unscrupulous leaders, and carried off by powerful oratory, they may choose unworthy candidates, and support unwise policies. This will result in grave evils.

Hence they advocate the system of indirect election. According to this system, the voters do not elect the representatives. They vote for, and choose a number of electors. These electors then select the final representatives, who are to sit in the legislatures. Thus two elections are held for the selection of members of the legislature. This system, it is claimed, avoids the defects of direct election. The masses who do not possess any capacity to choose representatives do not select them. They select the electors. The electors who are to elect members are expected to be more intelligent and educated. So their choice of representatives is likely to be better than that of ignorant voters. Lastly, as voters do not elect the representatives, party quarrels are less frequent, and popular passions are less roused during primary elections.

Merits of indirect election.

But this system has very serious defects. As the citizens do not take part in the election of the final representatives, they cease to take any interest in political affairs. So it does not stimulate the interests of the voters who grow indifferent to public affairs. Secondly, it gives rise to much intrigue and bribery at the time of each election. The representatives will be chosen by a small number of electors. Candidates will, therefore, try to bribe the electors, or to exercise undue influence on some of them in order to win their votes. This is a serious evil. Thirdly, this system tends to become a mere formality where parties are well-developed. At the time of a primary election, different parties will put up their own nominees, pledged to support their candidates. The voters will cast their votes for electors of the party they want to support. In this way, the purpose of this system will be defeated. Lastly, this system is based on faulty logic. If the ordinary voters are competent enough to judge the relative qualifications of electors, they are fit to select the final representatives.

Defects of indirect election.

Hence modern opinion is in favour of the system of direct election.

Secret or Open Voting. The next question of importance is with regard to the secrecy of voting. It has been urged by some writers that voting should be public. The voters should publicly declare the name of their candidate at the time of election. Mill supported it on the ground that voting was a public responsibility, and should, therefore, be carried out before the public. "The duty of voting, like any other public duty, should be done under the eyes and criticism of the public."

Merits of open voting.

But the defect of this system lies in the fact that ordinary voters may then be victimised by their employers, priests or Zemindars. If the voter does not like the nominees of the Zemindar or the employer, and has to speak out the name of another candidate before the latter, he may have to face many difficulties. The employer may sack him, or the Zemindar may oppress him.

Defect of open voting.

Hence the method of secret voting is followed in every country. According to this method, each voter is given a ballot paper when he goes into the polling booth. The ballot paper contains the names of all persons who have stood as candidates. The voter secretly puts a mark against the name of his candidate, and drops the paper into a sealed box, called the ballot box. Thus nobody except the voter will know the name of his candidate. The ballot boxes are opened before responsible officers, and the votes are counted. This system is also known as *the vote by ballot.* Its great merit is that it enables the ordinary voter freely to choose his candidate without any fear of outside pressure.

Secret voting, or voting by ballot.

Representation of Minorities

We have discussed the true basis of franchise, and the right method of election. Next we shall discuss the problem of representation. Should special steps be taken to secure the proper representation of minorities or other interests? What should be those methods? We shall discuss these questions in this section.

Is it necessary to take special steps to secure the representation of minorities? In all countries, there are majorities and minorities. For example, a majority of voters may belong to the Congress, but a minority votes for a Socialist candidate. Under the ordinary method of election, the majority may succeed in capturing all seats. In that case the minority will have no representation at all. Even if minorities succeed in electing a few of their members, they may not obtain proportional representation, *i.e.*, the number of representatives they are entitled to get on the basis of their population. If minorities form (say) 25 per cent. of the total population, they ought to have 25 per cent representation in the legislature. Democracy means government by all sections of the people. Hence it is only just that all sections should be proportionately represented in the legislature, and that no section should have more than its due share. As Mill pointed out, "in any really equal democracy every or any section would be represented, not disproportionately but proportionately. A minority of electors should always have a minority of representatives."

Arguments for the representation of minorities.

On the other hand, there are many writers who oppose this step. In their opinion this system of representation encourages the minorities to think only of their interests. They come to forget that their interests are not separate from those of the nation. They consider every question from the point of view of their own interests, and neglect the common interests of all classes of people. This is a serious evil. Secondly, various systems of minority representation are very complicated. So they will introduce many difficulties in the conduct of elections. Lastly, it has been found that this system increases the number of parties no one of which may have a majority in the legislature. Every ministry must then be formed on the basis of a coalition of parties. And coalition ministries are proverbially weak.

Arguments against minority representation.

Methods of Representation of Minorities. Various devices have been proposed to ensure proper representation of minorities. The most important of these are proportional representation, limited vote, and cumulative vote system.

Proportional representation.

Under *proportional representation,* minorities are able to elect representatives in proportion to their voting strength. If a minority forms 20 per cent of total voters, it will get 20 per cent representation in the legislature. Each voter is given a list of candidates, and he has to signify his preference by putting 1, 2, 3, 4, etc., against the names of candidates. That is, he gives his first preference to the candidate marked 1 and so on. The polling authorities divide the total number of votes actually cast by the total number of candidates to be elected. The required number is called the quota. Then the total number of first preferences obtained by each candidate is counted. If it exceeds the quota, he is declared elected. The excess of his votes over the quota is separated, and these votes are added to those of other candidates who are marked second in voting papers. When a candidate gets the quota, he is declared elected. In this way, minorities get proportional representation.

Limited vote system.

In the *limited vote system,* each voter can cast votes for a limited number of candidates. If, for example, five candidates are to be elected, he cannot cast five votes, but (say) three. So a majority of voters will not be able to elect more than three candidates from their party. Minorities will get at least two members.

Cumulative vote system.

The third method is *the cumulative vote system.* If there are five candidates to be elected, voters can cast five votes. They may give five votes to five candidates, or they may cast all votes to one candidate. In this way, a minority consisting of one-fifth of the voters will be able to elect one representative by polling all their votes, and giving them to one.

The System of Communal Representation

In India, minorities are the different religious communities, *e.g.,* Moslems, Sikhs, Indian Christians. The Hindus form the majority in the whole country. It has been urged that each religious community which forms a minority should get representation in various legislatures in proportion to its population, or to its political and other importance. This system is known as *communal representation.*

We are already familiar with the arguments against minority representation. The different devices for securing representation of minorities tend to encourage the latter to think only of their own interests. All policies will be judged from the special standpoint of the community. The question that will be asked is,—will it benefit the Moslems, or Sikhs? If not, it will be opposed even if it promotes the general interest of all classes. The real interests of the country are forgotten in the fight for securing all possible benefits for each community.

Separate Electorates. In spite of these defects, the majority community were forced under the British rule to agree to provide for suitable ways of securing the representation of the communities. The real trouble arose over the method of securing representation of communities. Should the representatives of the different communities be chosen through separate electorates composed of voters belonging only to their communities? Or, should they be elected through joint electorates composed of voters of all communities?

Arguments in favour of separate electorate.

An important section of Moslems wanted separate electorates. In their opinion, that system would enable each community to choose right representatives. If the electorate was joint, *i.e.*, composed of voters belonging to all communities, the Hindus might secure by their votes the election of such Moslems as were favourable to the interests of the majority community. Moslems would not possess full confidence in such representatives, even though they might be Moslems.

Separate electorates are impeding the growth of Indian nationalism.

But the system of separate electorates gave rise to serious evils. It was anti-national, because it encouraged communities to think always of their own interests to the negligence of the general interest of the country. It taught the people to think themselves as Moslems, Hindus or Sikhs, but not as Indians. The country was then divided into separate groups or communities, each fighting for its supposed interests. It is highly desirable that the different communities should cease their quarrels and begin to consider themselves as parts of the same nation. But the system of separate electorates perpetuated existing divisions. It created unusual bitterness and hatred amongst different communities.

Secondly, the system is not only anti-national, it is also inimical to the interests of minorities themselves. The minorities would feel a sense of security. So they would not always try to exert themselves, and to develop their abilities.

Lastly, it is argued that religion is no longer a vital motive force in politics in any modern state. Because a man happens to be a Moslem in religion, it does not mean that his interests are always separate from those of the nation. The various social and economic problems, the stupendous question of poverty, all these equally affect everybody, be he a Hindu, or a Moslem. All major problems that have to be solved by Indians are not communal, but economic and social. Hence there is no necessity for adopting the system of separate electorates. It is gratifying to learn that this system has been abolished in the constitution of India.

The Control of the Electorate over the Government. It has been stated by a famous man that the British nation is free only at the time of election. After the election is over, the electorate, it seems, ceases to have any power to change their representatives before the next election. So they cannot control the government, or influence its policies. This is not true. The electorate exercises control 'over the government in many ways. This control may be indirect or direct.

Indirectly, the control of the electorate is exercised through the pressure of public opinion. No popular government can neglect to follow the trend of public opinion, or dare to go against it for a long time. The electorate can also put pressure on the government by organising public meetings, and other demonstrations. The press is also an important instrument of control. Responsible government is government by parties. The different parties try to keep in touch with the changing opinion of the electorate, and influence the government accordingly.

But these methods of control may not always be effective, as public opinion is not always alert and intelligent. Hence other methods of direct control have been adopted in a few states. Provisions have been included in the constitution for holding *frequent elections.* If elections are held at short intervals, representatives will not dare to disobey the wishes of voters. But too frequent elections are not desirable. Other methods are referendum, initiative and recall. We have already discussed them in the chapter on Democracy.

Essentials of a Good Electorate. We are now in a position to understand the essentials of a good electorate. There should be universal adult suffrage. Women should be enrolled as voters equally with men. The state should take steps to educate citizens as early as possible. The modern state has no alternative to adult suffrage. It is in keeping with the democratic spirit. It ennobles the manhood of citizens, and increases their interest in public affairs. Secondly, the system of election should be direct, and voting should be by ballot. Lastly, the citizens should exercise their voting rights wisely and with discretion. They should not sell their votes to unworthy candidates to gain money or favour. The state should adopt suitable measures to put down corrupt and fraudulent practices.

(*a*) Universal adult suffrage.

(*b*) Voting by ballot.

(*c*) Prevention of corrupt practices during election.

CHAPTER 23

FORCES OF POLITICAL ACTIVITY

Parties. Democratic government is government by parties. They have formed an essential feature of all popular governments. The success or failure of these governments depends, to a large extent, on the organisation of parties in the country.

What is a party?

A party is an organisation of men who hold similar views and ideas by conducting propaganda among the public, and by trying to form the government. In a country, it seldom happens that all people will hold exactly similar views on important political questions. There is bound to be differences of opinion. Those who hold similar views are likely to organise a party of their own. By forming such an organisation, they will be able to conduct propaganda to convert others to their opinion and to carry out the policies which they advocate. In this way parties have been formed in different countries.

Distinction between a party and a faction.

Parties are generally formed on the basis of some general principles which are calculated to further the interests of the nation. Parties are, therefore, quite different from factions. The latter are formed to promote the selfish interests of the bosses or the leaders.

Functions of Parties. Parties are organisations of men who hold similar views, and want to follow a particular set of policies designed to promote the national interest. So the first function of a party is to decide the policies to be pursued on the particular problems of the country. The members hold discussions among themselves and settle the policy of the party. Since the members believe that these policies alone will further national welfare, they will therefore try to convert others to their views. Hence the second function of the party is to conduct an active propaganda to make converts, and to popularise its policies. The leading members of the party deliver speeches

Determination of policies.

Propaganda.

explaining the policies. They start newspapers, or secure the support of newspapers for spreading their views. A good deal of propaganda- is carried on throughout the year to induce the public to accept the policies of the party.

Parties also try to form the government in order to carry out their policies. For this purpose they try to capture a majority of seats in the legislature. Before each election is held, they choose some members of the party to stand as candidates for election to the legislature. The next function of the party, after the selection of candidates, is to conduct an election campaign, and to fight for the election of their candidates. By means of public meetings, and newspaper propaganda, by distributing suitable leaflets, the parties try to induce the voters to cast votes in favour of their own candidates. After the election is over, if it is found that the candidates of the party form a majority in the legislature, the party will be called upon to form the government. Its next task is to select the ministers for the various offices who are to form the government. The ministers are expected to carry out the party programme with the help of members of the party.

Selection of candidates.

Election campaign.

Formation of government.

The party which forms a minority in the legislature cannot form the government. It is the *opposition*. Its function is no less important than that of the majority party. The business of the opposition party is to oppose the measures of the government, to find out its defects and dangers and to expose them before the public. The public thus learns both sides of a question, and becomes able to form correct judgment on important measures. The opposition acts as a watch-dog over the activities of the government, and helps in checking its abuses.

The opposition party keeps watch over the government.

Merits and Demerits of the Party. Parties are indispensable in a democracy. The latter cannot function effectively without parties. In a democracy, the party which commands a majority in the legislature forms the government. If the majority of the members did not act

Merits.

together, and support the government in carrying out suitable measures, the latter will be weak, and uncertain in its policies. If each member acted independently without parties, government might not be supported by the majority of members. When it adopts a policy, it will not know whether the legislature will approve of it or not. No government can function successfully under such conditions. With a well-organised party to support it in the legislature, the government will be sure of its position, and will be able to take strong and energetic measures.

The existence of parties makes the government strong.

Secondly, parties perform the important function of educating the citizens. They discuss the political affairs in public. The different parties present before the citizen the various sides of a question. The rivalry between the parties rouses the interest of the citizens, and stimulates their public spirit. Open discussions and speeches delivered in public meetings, the stream of literature that pours forth from party presses,—all these serve to educate ordinary men and women in the public affairs of the country. Parties enliven political life, and introduce some brightness and excitement in the otherwise dull life of ordinary citizens.

Parties educate the citizens.

Parties render another service to popular governments. The existence of an alert party in opposition tends to keep a strict check over the activities of the party in power. The latter knows that if it makes a slip, the opposition will bring it to the notice of voters, and will utilise it in order to win the next election. This fear of losing their office keeps them in check. In this way, parties prevent the growth of despotism. No wonder that the first step taken by modern despots was to abolish all other parties.

Parties check the growth of despotism.

The great defect of the party system is that it tends to encourage loyalty to the party over that to the nation. The interests of the nation are forgotten in the the fight for the loaves and fishes of office. The victory of the party at the election is looked upon as an end in itself even if that means sacrificing

Defects.

the interests of the country. Different measures are examined to see whether they tend to promote the interests of the party. They will be adopted if they are expected to favour the party, even though they may harm national interests. Secondly, parties destroy the individuality of members. All members must accept the policy of the party. All of them are expected to support the party policy in public. There is no room in the party for a member with independent views. If a member does not support the policy of the party, he will be driven out. Thirdly, the party system gives rise to another serious evil. A party will not necessarily choose the best men for various public offices. The best men are more likely to possess some independent views of their own which may not suit the party. They may not always follow strict party mandates. So parties tend to choose "yes-men."—men who may not possess the best ability, but will blindly carry out orders of party leaders. When one party forms the government, the services of the best men of other parties are lost for the moment. In these various ways public administration suffers. Lastly, parties in many countries have adopted questionable practices to retain their position. Public offices and honours have been given to candidates who can fill party funds.

Interests of the party are often placed above those of the nation.

Parties destroy the individuality of members.

They shut out the best men from public offices.

They adopt corrupt methods.

These defects are serious. The remedy lies in unceasing vigilance on the part of citizens. They should not hesitate to withhold their support from a party found guilty at the bar of public opinion. Much also depends on the leaders chosen by parties. They should be men possessing high ability, honesty of purpose and strength of character with a single-minded devotion to place the welfare of the nation above everything.

Two Party System or Multiple Party System. Should there be only two parties in a country, or many? When there are only two parties in a country, many things are simplified. The election fight will be straight. There will be only two sides to a

Merits of two-party system.

question, and all that the voter need do is to say yes or no to a measure. After the election is over, one of the two will command a majority in the legislature, and so will form the government with a well-kept majority behind it. The electorate will decide by its votes which of the two parties is to form the government.

Multiple party system.

But if there are many parties, there will arise certain difficulties. As each party puts forth a separate policy of its own, voters will be bewildered. Choice becomes difficult when there are so many views. Secondly, no party may get a majority in the legislature. In that case some parties shall have to combine together and form a coalition government. Such governments are proverbially weak, inefficient and unstable. Different parties to the coalition may find it difficult to adopt a common policy with regard to an important public question. Each party possesses a different outlook. The government can never be sure of the support of all parties, some of which may be tempted to join the opposition. There will be much intrigue between different parties each trying to win the support of others.

Its defects.

The majority of writers, therefore, are in favour of the two-party system.

Public Opinion

The nature of public opinion.

Democracy may be defined as a government which is carried on in accordance with public opinion. It is necessary, therefore, to consider what is public opinion. It should be the opinion of the public. Theoretically therefore, public opinion should be the opinion of all citizens. But it rarely happens that all citizens hold the same opinion on any question. There is usually a large variety of opinions, held by various groups, which influence and clash with one another. It is only on rare occasions that the whole body of citizens think alike on any question. So in order to constitute public opinion, it is not necessary that all people should be unanimous. If there is unanimity, it is all right. If there is no unanimity, there may still exist a public opinion. What is necessary to constitute public opinion is that the opinion should be formed after paying due regard to the welfare of the whole public. It need not be the opinion of a majority of the population. If the majority is determined on furthering its own interests even at the cost of those of a minority, its opinion cannot be called true public opinion. The opinion of an intelligent minority, if it is inspired by regard for the welfare of all, may constitute better public opinion than that of a selfish majority. The more generally an opinion is held, and the more it is inspired by the high motive of public welfare, the nearer it comes to true public opinion.

"A majority is not enough, unanimity is not required."

Agencies for Forming Public Opinion. Public opinion is formed by, and expressed through different organs. The chief agencies that help to mould public opinion are the press, the platform, educational institutions, parties, the radio and cinema, and the legislature.

The Press. The newspaper is an important agency for forming and expressing public opinion. It publishes the news, and makes suitable comments on current affairs. Thus it educates the public and supplies them with facts on which to form their opinion. It also focuses the opinion of different classes of citizens, and enables each group to give publicity to its views. Thus newspapers reflect as well as create the public opinion of the country. The modern press exercises an enormous influence on the formation of public opinion. This influence is increasing now-a-days with the spread of literacy among the masses.

The Press.

In order to enable the public to form a correct opinion, the newspaper press must publish true news of the day. It must not adopt the practice of suppressing all inconvenient news or views. Some newspapers, under the control of sectional interests, or millionaire proprietors, often publish news or facts which favour their own party or interests. They do not publish the other points of view. In this way they try to misguide the public. This is against the true interests of the country. Unless the opinion is truly public, democratic government will be a failure. So the press should be free from the control of the government, or the wealthy proprietors, or sectional interests. It should criticise the government freely without fear or favour, and publish true and correct news.

Platform.

The Platform. In public meetings, speeches delivered from the platform of different parties help to form public opinion. These speakers deliver speeches criticising each other's policies, and discuss different sides of a question. This stimulates the interest of the public who also learn much from these speeches.

Educational Institutions.

Educational Institutions. Schools and colleges exercise some influence in the determination of public opinion. It is in schools and colleges that the youth of country get their education. In the calm atmosphere of these institutions, future citizens are helped to form unbiassed ideas on important problems facing the country. What is learnt in the youth is seldom forgotten afterwards. It influences the attitude of citizens throughout their whole life.

Parties.

Parties. They bring different issues before the public, and help to create public opinion by their propaganda and discussion. Different parties explain their policies to the ordinary citizen in order to get his vote. In this way the latter comes to know different sides of a question, and to form a better opinion than is possible with unaided efforts.

Broadcasting.

The Radio and the Cinema. The Radio carries the news to a large population. Important speakers talk through the radio, and thus educate the public. If properly handled, the cinema may also be a powerful instrument for forming public opinion.

Legislature.

Legislature. The legislature focuses the public opinion of the country. It contains the representatives of all sections of the people. The speeches of these members bring different views before the public, and educate them in this way.

CHAPTER 24

LOCAL SELF-GOVERNMENT

Every modern state possesses a central government for the administration of its affairs. It is also organised into small areas, each of which possesses an administration of its own for the conduct of local affairs. In this chapter we shall consider the organisation and functions of local administrative bodies.

Utility of local bodies.

The utility of these local bodies is obvious. The modern state is daily assuming an increasing number of functions. If everything is to be done by one government, it will be simply overwhelmed with work. It will be unable to perform its functions efficiently, paying sufficient attention to every detail or every department. Hence it is forced to delegate some of these functions to local bodies set up for this purpose. The latter will take over such matters as concern their localities, and thus enable the central government to devote its attention to urgent problems affecting the whole country. Such delegation of functions is essential to secure the efficiency of government. Secondly, there is another and more important reason for the existence of local bodies. Local conditions differ to some extent in every village, city or district. Many of them have to face some special problems of their own. Different localities may have different grievances to redress. These can be best attended to by local organisations and local people. They live on the spot, and know where the shoe pinches. A central government, situated far away, and burdened with too many tasks, cannot be expected to possess the same intimate knowledge of the special needs of each locality.

They relieve government of a part of its burden.

Local bodies can understand local needs better than the central government.

Lastly, the most fundamental utility of local bodies lies in

They are a good agency for training the people in the art of self-government.

the fact that they provide good training for people in the art of self-government. They possess a high educative value. The number of people who can take part in the actual conduct of the central government must be very small. The vast majority of citizens will have no active part to play in the administration of the country. They will come to feel that they are of no consequence in the conduct of the government. They will therefore become indifferent and apathetic. But local bodies will arouse and sustain their interest in the common welfare. Large numbers of people can take part in the administration of these local bodies. They will be able to learn the art of government on a small scale. Many of them have to fill some offices in local bodies where they learn how to conduct common affairs, and what difficulties arise in the administration of their area. They have to conduct elections to local bodies, and to get good training in the conduct of elections to national legislatures. By sitting in local legislatures, they get a good knowledge of the operations of the central legislature. They will learn to work for others, and to co-operate in the task of furthering the common interests. They will also learn the art of compromise, the art of mutual give-and-take, which is so essential if one is to work for the publlc. In this way, participation in local administration develops the common sense and judgment of ordinary citizens and teaches habits of democratic government to the ordinary citizen. Local bodies are the best instrument for dispelling the apathy of the ordinary man in common affairs. Local politics arouse his sympathy and passion. The locality and personalities interest him immensely. His interest in the public affairs of his locality thus grows considerably. After learning the art of administration in these local bodies he can rise naturally to large spheres of national life. Local bodies, therefore provide the best school for self-government. It is for this reason that Laski has uggested that nobody should be allowed to stand as a candidate for election to the national legislature unless he has served for at least three years on some local body.

Functions of local bodies.

The functions that are entrusted to local bodies are generally of local concern. They construct and maintain roads, bridges, parks, etc., and see to their lighting. They are concerned with public health and sanitation in their localities; start and maintain schools to provide primary education. They establish water-works to supply good water to people. They are often entrusted with police-work in their areas, and have to maintain fire brigades. They can establish libraries, museums, picture galleries, theatres, music halls, etc. They can own and run tramcars, gas and electric works, banks, etc.

Organisation. These local bodies are usually organised in the same way as the central government. There is a local legislative council, consisting of only one chamber. The members are elected by the votes of rate-payers, or all adult citizens of that locality. The executive may consist of officers elected by the local legislature, and is responsible to it. Or, it may consist of officers appointed by the central government. The legislature assists these officers in the conduct of local business. As in the case of the national government, the day-to-day work is carried on by a group of salaried officials, holding more or less permanent posts.

Relation between central government and local bodies.

What should be the proper relation between the central government and these local bodies? Should the latter be completely independent of the former in all spheres, or should they be completely subordinate to the former and act as its agents? Both these extremes are wrong. These local bodies cannot be entrusted with sovereign powers. They cannot be allowed to do anything they like. The state must impose certain restrictions on their activities in the common interest of the whole nation. No local body can be allowed to neglect its schools or hospitals. If it neglects to take early steps to stamp out cholera or small pox, these may spread to other localities, and cause the death of a large population. Hence the central government must control and supervise the activities of these local bodies, punishing a local body guilty of gross mismanagement and negligence. The central government is responsible for the whole population and looks to the general well-being of all. Hence it is entitled to interfere when the common interest of all localities and people is being hampered by a local body.

On the other hand, the central government should not interfere constantly in the work of these local bodies. This will deprive the latter of all initiative and destroy their senses of responsibility. Thus local bodies should be allowed to enjoy local autonomy as far as possible. The central government should not interfere in their work unless it becomes absolutely necessary because of gross mismanagement and irregularity of a local body. The function of the central government should be restricted to the supervision and co-ordination of work of these bodies. It should give advice and information, and make suitable suggestions for their improvement. In order to ensure the financial solvency of local bodies, it can appoint auditors to examine their accounts, and reserve to itself the power to sanction extraordinary expenditure and borrowing.

CHAPTER 25

CULTURE AND CIVILISATION

What is culture?

Civics is not only a study of citizenship, it is at the same time a study of good citizenship. A good citizen must be a man of culture. What is culture? Culture is that refinement of the mind and intelligence which enables an individual to appreciate all that is good, true and beautiful in life. A cultured man is par excellence a gentleman. He is gentle in his behaviour, in his dealings and in his actions. He appreciates fine arts and things of beauty and joy. Culture denotes the proper cultivation of our thought, feeling, aspirations, mode of doing and performing things.

Similarity between culture and civilisation.

Many people are in the habit of assuming that culture is akin to civilisation. A cultured man is a civilised individual. Those who have reached a low standard of civilisation also possess low culture. This is a misconception. It is of course true that civilisation and culture have many aspects in common. Civilisation signifies the stage of material progress achieved by man in course of history. As such it acts and reacts on culture. The culture of an individual is vastly influenced by the state of civilisation reached by the community to which he belongs. The progress of civilisation has freed men from the constant struggle for existence. It has given him leisure and the means to appreciate and enjoy the good things of life, and to pursue the fine arts like poetry, music and architecture. On the other hand, a man of culture has the means and the knowledge to achieve material progress and to improve civilisation. In this way culture and civilisation have often influenced one another. The two are closely related to one another. Both affect society, religion and other aspects of human life.

Distinction between culture and civilisation.

But in spite of these similarities, culture is essentially different from civilisation. A community may achieve a high stage of civilisation. But not all its people would be highly cultured. Culture is more concerned with the mind, thought and feelings of an individual. Civilisation is more a matter of material progress and institutions. A cultured man is an individual with a highly refined mind and intellect. A civilised man is an individual who has achieved great material progress.

Civilisation is concerned with the outer things of life. Culture is concerned with the inner life of man. A civilised society is a society that has made great material progress. It has succeeded in conquering the great forces of nature and utilised them to serve its ends. It has built motor cars, aeroplanes, telephones, television and numerous other devices which make one's life comfortable in a modern society. The western countries have achieved a high stage of civilisation. The people of those countries possess vast wealth and have reached a very high standard of living. As compared to these countries, India has reached a low standard of civilisation. Its material possessions are small, and the standard of living of the people is very low. In spite of this, India has produced a Mahatma Gandhi, who achieved a stage of culture, seldom dreamt of in the western countries. Culture is not a matter of racing cars or jet planes. It exists where the mind is highly refined, even though material possessions may be few.

There is another important difference between culture and civilisation. The achievements of civilisation are available for everybody. The things which are the products of the western civilisation can be easily transplanted to the eastern countries. Japan, before the second world war, furnished the best example of the possibility of transferring the products of the western civilisation to an eastern country. But the culture of a community is not so easily transferable or imitable. To adopt western civilisation is not difficult. But to imbibe the western culture is not an easy task. Culture is the fruit of the genius of a community, whereas civilisation is the result of the material progress, which is to open to all. A community may completely adopt the civilisation of another country or race. But when the culture of one country is sought to be adopted by another, it invariably undergoes changes in accordance with the genius of the latter.

Civilisation is the product of the efforts of man to satisfy his material needs and to improve his environment. Culture is the result of his efforts to achieve mental, intellectual and spiritual progress.

CHAPTER 26

LEISURE AND RECREATION

What is leisure?

It was the curse of Adam that his descendants must earn their bread by the sweat of their brow. The vast majority of us must work for our living, or we must starve. While people must work, constant work is however an undesirable thing. Continuous work of any type will wear out a man, both mentally and physically. So every one of us needs rest after a spell of work. No prudent man will work a machine continuously for a long time. He will stop it after a reasonable period of working, clean and oil it properly to make up for the inevitable wear and tear involved in working. The same thing is true of the human machine. The human body must be given rest after a certain period of work in order that it may recuperate from the wear and tear. The human mind also needs rest at times in order to retain its freshness. A student who reads continuously for several days or months before the examination may develop what is popularly called brain fag. This indicates that his brain is jammed and needs rest in order that it may again work properly. This period of rest after work is called leisure. In the Bible it has been stated that the Lord worked for six days to create the universe and then rested on Sunday. The seventh day was the day of leisure.

Is leisure idleness?

It should be noted that leisure is quite different from idleness or unemployment. An idle man has plenty of time at his disposal. But he has no leisure as he does not work. The period of rest after work is to be regarded as leisure. A perpetual holiday is the best definition of hell. Similarly, an unemployed man does not also enjoy leisure. His enforced or involuntary idleness is not leisure. Leisure is rest after work.

Leisure has sometimes been described as escape from drudgery. Previously all work involved much drudgery and monotony. In India a factory worker had to work 12 hours a day in the 19th century. Work in factories was dull, dreary and disgusting. Leisure was then regarded as an escape from the drudgery of work. Such a state of affairs has passed for the vast majority of workers. Hours of work have been shortened; conditions have improved in the factories. Work has not of course become pleasant. But it is definitely less dull, and involves less drudgery than before. But the utility of leisure has not declined thereby. If some kind of work involved no drudgery, there will then be no necessity for leisure. This is not true. Leisure is rest from work, not any escape from drudgery.

This is not to deny that the extent of drudgery has declined in all types of work. In our country, the work of the housewife involves very great drudgery. Except in rich households, the housewife has to work at all hours, day in and day out. She has few moments of rest. But in the western countries, conditions have much improved on account of the adoption of some scientific appliances like gas ovens, refrigerators etc. The system of living has, also been altered suitably so as to leave ample leisure for the housewife. It is necessary for us to change some of our social customs and methods of preparing food so that housewives may enjoy some leisure in our country.

In ancient times leisure was the privilege of the few. Only the rich people enjoyed leisure, while the vast majority had to work very hard and could scarcely enjoy any leisure. A man who had to work continuously for 12 or more hours would become exhausted in mind and body, and the remaining hours would probably be spent in sleep or in exhaustion. He could have scarcely enjoyed any leisure. Such was the lot of the vast majority of the people. But fortunately conditions have changed with the advancement of science. Machines have enabled man to work shorter hours without curtailing production. In fact, the opposite has happened. While the hours of work have been shortened from 12 to 8 hours, and in some cases to even six hours a day, production of every kind has been increased many times. So almost everybody has more time at his command, apart from the period of work. Moreover, most of the unpleasant work is now done with the help of machines. Cranes lift heavy weights.

Cars instead of rickshaws and palanquins, carry men easily to long distances. Work on the fields is now done by tractors, harvestors and other agricultural appliances. Floors are dusted and cleaned by vacuum cleaners. Washing and laundering are performed by machines. In this way men have been relieved of much hard work and drudgery. In this machine age, even the common man enjoys more leisure than was possible for his forefathers.

The prevailing philosophy of the age also favours greater enjoyment of leisure by the masses. The modern age is the age of democracy. Democracy and leisure are inter-related in many ways. Democracy extols the ordinary individual and frowns upon all sorts of class privileges. It regards every man as equal to another, entitled to receive equality of opportunity, consistent with his talents. Hence everybody is entitled to get enough leisure to develop his personality. The enjoyment of leisure can no longer be the monopoly of the few. It is the privilege of all. In the second place, democracy will prove successful only where the citizens enjoy ample leisure. Democracy is essentially the Government of the common man. Unlsss the common man gets sufficient time, apart from his work, to consider the various problems facing his country, and to give careful thought to the solution of these problems, he will not be able to form any opinion on the questions, and will then prove worthless as the director of the state. A man who has to work continuously for long hours will scarcely have any energy left for taking part in political affairs. Democracy cannot prove a success in such a country. The Greek philosopher, Aristotle, was right when he stated that only men with considerable leisure could make democracy a success. It is only when citizens enjoy enough leisure that they can educate themselves regarding the great public questions of the day. Modern democracies not only see that the citizens enjoy sufficient leisure, they also make ample provisions in all directions so that the citizens may enjoy their leisure profitably. They have opened public libraries, reading rooms, swimming pools, public theatres etc., for this purpose.

Democracy is not possible without leisure.

Methods of Enjoying Leisure. While leisure is essential for the full growth of the mind and body of an individual, much depends on the way in which leisure is utilised. If leisure is passed in drinking and gambling, then instead of much profit, actual harm will be done. In early periods, many workers after their return from factories, drank and gambled away the whole of their earnings. It is because of this that some people of puritan temperament suggested that the working hours should be lengthened in order to prevent the workers from indulging in these vices. These people however mistake the cause for the effect. The escape from such vices does not lie in lengthening the hours of work, but in educating the workers and in providing them with other innocent recreation. Exhausted from long hours of work, people often seek refuge in drink, or in the artificial excitement of gambling in order to escape from the drudgery of the environment. Hence much depends on the way in which leisure is utilised.

Hobbies.

There are many ways in which one's leisure may be used profitably. Some people are lucky in having hobbies, and they use their leisure in the pursuit of these hobbies. Photography is one such hobby and after finishing their normal work, people have been found to spend their time in photographing beautiful places, or their friends and relations and in developing these pictures. Good photographs are a source of great joy in after-years. They enhance one's sense of beauty, and may also bring some money. There is a demand for good photographs from newspapers and journals wihch often pay good sums for a good copy. Stamp-collecting or philately is another such hobby. It enables one to enjoy his leisure and at the same time to increase his knowledge of different countries.

Sports.

A second way in which leisure can be used is through taking part in games. The pursuit of sports of some kind is innate in the nature of man. Sports may be of two kinds, indoor and outdoor. Sports develop many desirable qualities in men. They develop companionship and leadership in those taking part in them. They provide a good means for utilising leisure, especially for the children and the young people who feel a natural liking for sports.

Hiking.

In the western countries, hiking is regarded as an important way in which people, especially young people, use their leisure. Large numbers of hikers ramble over the country side. Walking in the open air and sunshine improves health. When one walks in a country side, one meets all sorts of people. This enlarges our knowledge of men and country. Hiking is thus one of the most inexpensive, educative and healthy way of using leisure. It is unfortunate that the young people of our country have not yet adopted this healthy practice.

Reading.

Another fruitful way in which leisure may be used is reading and writing. This does not mean reading text-books or sermons. There are books to please all tastes from novels, poetry, detective stories, travel, adventure and others. Such reading enlarges our knowledge and gives great pleasure. Those who are fond of travel, but cannot afford it may satisfy their unfulfilled desires by reading books of travel. Detective stories and books of adventure satisfy the desire for adventure latent in the minds of many people. One advantage of reading is that you can do it alone even if you cannot find any company. Books give you the company that you like.

Theatre.

From ancient times threatres in some form or other, were an important means of filling the leisure of people. People enjoy a good performance. Shakespeare's plays are now enjoyed, and will ever be enjoyed by millions of people all over the world.

Nowadays cinemas and radios have become important instruments of recreation. They are comparatively cheap and provide amusement for the work-worn people. The way in which cinemas are crowded now-a-days shows the extreme popularity of this method of recreation. The cinema and the radio have also an educative value.

CHAPTER 27

CIVIC IDEALS

What is a civic ideal?

We have discussed the rights and duties of citizenship, and the political institutions under which a citizen carries on his functions. The study of citizenship will not be complete unless we know at the same time the ideals which inspire, or should inspire the life of the citizens. Every individual pursues some ideal in life. It colours his whole life and inspires all his activities. What is the ideal which the citizens should pursue? Citizenship has been defined by Laski as "the contribution of one's instructed judgment to the common good." Every citizen should aim at making the best contribution to the common good of his people, and the humanity. The ideal which should inspire the actions of a true citizen is known as the civic ideal.

The true civic ideals.

A citizen is a member of a society. It is his duty to promote the interests of the society in which he lives, and to be of service to all people of the society. We have seen that the social organization has developed from the family, the clan or the tribe to the nation. It must now develop from the nation to the world if civilization is not to perish. The citizen must faithfully carry out his duties to all these social organisations, *e.g.*, the family, the village or the city, the nation and the world. The civic ideal should be to be of proper service to all these social organizations—to further the common good of everybody in this organization. The true civic ideal consists in the readiness to work and suffer for the sake of the general welfare of all people in one's country and in the world.

Service to the community.

He should be physically fit.

If the citizen is to serve his country and his community, he must possess a sound physique. No one can hope to be of much service to others if he is weak in health. So the first task of every citizen is to keep his body in a sound condition. He must take suitable exercises and try to keep physically fit so as to follow his ideal. Secondly, we have seen that the citizen should aim at contributing his instructed judgment to the common good. So the next ideal which every citizen should pursue is to instruct his own judgment. He must educate himself thoroughly. He must drink deep at the fountains of culture; he must learn the literature, science and fine arts of his country. After having instructed himself in these subjects he should find out all the best elements in the national life and culture. His ideal should be to preserve and promote all these elements.

He should try to preserve the best elements in the national culture.

Since his ideal is service to the community, he must possess those qualities which go to make a good citizen. He must be inspired by a spirit of devotion. He should be ready to serve in any public office to the best of his capacity if it becomes necessary to further the well-being of the people. He should always try to subordinate his own interests to those of his country. He should follow those measures and policies which will promote the common good of all.

He should possess public spirit.

Lastly, it is said that patriotism is an important civic ideal. But we should distinguish between true patriotism and false patriotism. A false patriot glorifies and worships his country above everything. His ideal is, "my country, right or wrong." To seek glory for his nation, he can trample upon the liberty of other nations, and reduce them to slavery. A citizen should not follow such an ideal. A true patriot will serve his country to the best of his capacity. He will fight for its independence and for the protection of his hearth and home. But he will not seek false glory and prosperity in the conquest of other nations, or in the exploitation of other people. Just as no honest citizen prefers the interests of his family to those of the nation, so he should, if necessary, prefer the humanity to his country. A true civic ideal cannot stop at the boundaries of a country. It must transcend those boundaries and embrace the whole world. Just as a country cannot remain half slave, and half free without disaster

True and false patriotism.

True patriotism embraces internationalism.

to itself, so the world cannot remain half slave and half free. If any country is sunk in ignorance and poverty, the level of life will be brought down even for the favoured nations. The whole world is a unity, and the true civic ideal should aim at maximising the welfare of the individuals in the world.

The civic ideal is progressive.

The civic ideal must be a progressive one. The true citizen should not be hide-bound by conservatism. He should cultivate a progressive outlook in all affairs. He should be ready to discard those customs and traditions which now hamper the welfare of the people. He should not support existing traditions or institutions only because they come from the past. *Flux universal.* All things change. The citizens should not oppose these changes, but should be ready to adopt them if they are necessary to promote the common good. Service to all, and no blind worship of the past should be the true civic ideal.

The ideals can be achieved only in a democracy.

Conditions for the Realisation of Civic Ideals. These civic ideals cannot be pursued fully under all circumstances. Despotism cannot build up true citizens. It may allow citizens to develop in a certain way, *e.g.,* to cultivate their physique, and the military virtues, or to pursue art and science to some extent. But it cannot allow an all-round development of citizens. For, they will then demand control over their destiny. Self-realisation is impossible without liberty. So civic ideals cannot be realised except in a democratic country. Only in a democracy will it be possible to create and maintain the conditions which are favourable to progress, happiness and self-realisation of every citizen. A second condition necessary for the realisation of civic ideals is the spread of education among all. An ignorant man cannot pursue the true civic ideal. Without education, no man can know his potential capacities. The state should, therefore, provide free and compulsory education for everybody in the country. The next important condition is the abolition of poverty.

The citizens must be educated.

Abolition of poverty.

Everybody in the country should be lifted above poverty. Chill penury represses the noble urge in many a soul. Poverty means lack of opportunity and because of this, many great talents have gone unused to the grave. The state should therefore guarantee the right to work, and the right to a living wage to every citizen.. It should take steps to ensure economic liberty for everybody.

CHAPTER 28

TOWARDS WORLD CITIZENSHIP

Economic causes lead to internationalism.

The need for International Co-operation: So long we have been considering citizenship against the background of the state. The modern state exists for the good life of citizens. But such good life is impossible of achievement within the area of a state. There are many economic and political factors which go to show that the duties of citizenship cannot stop at the boundaries of each state. Economically the modern world is one unit. The development of the means of rapid transport has annihilated distance, and has knit the whole world together. Economic interdependence of different countries is so complete that any change in the economic conditions, or in the economic policies of one country affects the well-being of citizens of other countries. A strike by workers in Dundee in Scotland will affect jute-growers of Bengal, and a frost in American cotton fields wll change the fortunes of the people of Berar. There is thus clearly a case for the evolution of an international order from the economic standpoint.

Political factors of internationalism.

Such internationalism is also a political necessity. Peace between different nations cannot be maintained without some international organisation. The history of the twentieth century has shown clearly that the existence of the so-called sovereign, nationalist state will inevitably lead to periodic wars and destruction. The peace of the world cannot be allowed to be broken by the greed or lust of power of a state. So in order to preserve its culture and civilisation, the modern citizen must not confine loyalty to his state alone.

The case for the evolution of some international organisation is thus overwhelming. Loyalty of citizens has extended its scope from the family to the state through the village, clan or tribe. So it must now transcend the boundaries of the state to the entire world. The true citizen of modern times must be international in spirit and organisation.

Nationalism and Internationalism: The hundred years before 1940 may be called the era of democracy and nationalism. In spite of occasional critics, the idea gained ground that each nationality should be organised into a state of its own. Polynational states, or states composed of many nationalities were looked upon as unnatural organisations. The oppressed nationalities became restless, and began to fight for their independence. The spirit of nationalism brought about many changes in the framework of the existing states.

The principle of nationalism has changed the character of the state.

One by one many poly-national states broke up. From the Turkish empire Greece and other Balkan States separated. The different nationalities re-grouped themselves into separate states. The first Great War hastened this tendency. President Wilson proclaimed the right of self-determination as one of the essential rights of all oppressed nationalities. The defeated states were reorganised on the basis of nationality. Poland, Czecho-Slovakia, and some other nations were established as separate states. The number of small states increased in Europe, especially in the Balkans.

The principle of nationality.

In the 19th century, nationalism led to the emergence of empire-states. Powerful and strong nations began to acquire colonies as markets for their products, and homes for their surplus population. In this way, *nationalism led to the development of imperialism*. All big nations, conscious of their strength, began to aspire for world-domination. The peace of the world has been broken many times by the rivalry of powerful nations.

Nationalism led to imperialism.

Hence modern writers are laying more stress on the evils of nationalism. *Narrow and aggressive nationalism is the root of many evils*. This was responsible for the outbreak of two world wars of the 20th century. The last war has been caused by the aggressive designs of the fascist nations upon their comparatively weak and small neighbours. Militant nationalism was responsible for the rape of Manchuria by Japan and of Abyssinia by Italy.

Internationalism is a better ideal than nationalism.

Internationalism is, therefore, a higher ideal than nationalism. It is better to promote the interests of a community rather than the selfish interests of individuals. Similarly, it is much better to devote oneself to the promotion of the welfare of humanity than that of a group or a nation. The growth of internationalism will do away with wars and the senseless slaughter of mankind. All of us should, therefore, strive to seek the ideal of a "Parliament of man, federation of the world", where all men as brothers shall meet.

What is world order?

The World Order: The need for international co-operation is pointing our attention to the establishment of some sort of a world order. Such a world order is based essentially on the idea of 'One World'. In its loosest form, the concept of the World Order stands for a system in which different nations of the world live in peace and amity, and settle all their differences through arbitration and without recourse to war. There are others who want to build a stronger world order. They would do away with the present system of independent nation-states, and would like to set up a World-Federation or World-State in which all states would become members.

The need for world order.

The idea of such a world order or world-state is not a new one. In the middle ages, Dante, the Italian poet and philosopher, dreamt of the establishment of a world empire. The idea occurred in the writings of a number of thinkers since that period, while it has assumed a great urgency in the modern world. The last two world wars have shown the imperative need for taking all steps for the abolition of wars. Gone were the days of the battle of Kurukshetra, when only a small part of the country and a small number of kings and their armies were affected. Modern wars are total wars, affecting the total population of almost all countries of the world. We no longer talk of the Crimean war or the Franco-Prussian war. We live in an age of world wars, and the towns of Hiroshima and Nagasaki bear testimony to the destructive capacities of such wars. Another such war is bound to destroy the whole fabric of civilisation. The modern citizen must take all steps to end war, or another war will end his life and his civilisation.

Outlawry of war is, therefore, the only reasonable alternative to international suicide. Apart from this urgent need for stopping all future wars, there are many positive arguments in favour of the establishment of a World Order. In ancient Greece, citizens thought it possible to attain their best selves within the limits of the walls of their city-states. As civilisation advanced, it was soon felt that the citizen could not attain his best self within such a small area as the city-state. He must live in large states if he is to fulfil his destiny. To-day we have progressed so far that we do no longer find it possible to develop our abilities within the limits of a nation-state. No state of to-day is self-sufficient. Economically, politically and culturally all of us have become dependent on other countries. The cause of civilisation gained when mankind gave up their group-loyalty and merged in the nation-states. This process of enlarging the loyalty of mankind cannot, and should not end at this stage. The caravan of civilisation must now proceed further along the same road to embrace the whole world. In the Great Society, composed of all humanity, all individuals and nations should learn to co-operate with one another. Such co-operation would raise the standard of human life, enabling each country and every people to attain the highest level of intellectual development, and of material prosperity.

The establishment of such a World Order has not so far been possible because of two obstacles. One is the spirit of nationalism. In its earlier phases, nationalism contributed to the progress of civilisation. It served the cause of liberty by freeing the sub-merged nations. Inspired by the national spirit men felt the birth of a

World order and nationalism.

new life and a quickening of intellect. Their vision was broadened and they performed many acts of heroism in pursuit of the ideal of national freedom. But in course of time the sentiment of nationalism took on a narrow and aggressive character. Big nations, conscious of their strength, began to dream of world-domination. To achieve such domination, they began to trample upon the liberty of other people and to reduce them to slavery. Such aggressive spirit has given rise to a false idea of racial supremacy and to autarky, and unless this type of narrow and militant nationalism is scotched, there is no chance of establishing an effective world order.

World order and state sovereignty.

A second obstacle is the existence of state sovereignty. Sovereignty means the supreme power over everybody and everything, and the possession of such sovereignty has been regarded as the most important characteristics of the state. No world order can be set up unless the states are willing to give up their notions of sovereignty. The establishment of such world order must impose some limits on the sovereignty of the states. If war is to be outlawed, then each state must give up its sovereign right to go to war to protect its rights and interests. As yet, states have not shown any willingness to give up their sovereignty, and the result has been the virtual impossibility of setting up an effective world order. This unwillingness has been responsible for the failure of the League of Nations.

These obstacles must be removed by the spread of knowledge among the masses in different countries of the world. After all they have everything to gain and nothing to lose as a result of the establishment of the world order. We must all be internationally-minded or perish under the shower of atom bombs.

The League of Nations. The first world war gave birth to an international organisation in the shape of the League of Nations. The Covenant, *i.e.,* the written constitution of the League of Nations was adopted at the Peace Conference of 1919, and the League was formally inaugurated in January, 1920. It was formed by different countries of the world, including India. But the U.S.A. and the Soviet Russia did not join it at its inception, and Germany was not allowed to join. Later Russia and Germany joined. But America always remained outside the League.

Constitution.

The League had three organs,—*viz.*, a Council, an Assembly and a Secretariat. The League Council formed the chief executive of the League. It consisted of 14 members. The five Great powers had each a permanent seat on the Council. The remaining 9 members were elected by the Assembly to represent other members of the League.

The Assembly consisted of the official representatives of all members of the League. It was the legislature of the League. It met at least once a year, and dealt with all questions relating to the League. The permanent Secretariat consisted of the Secretary-General, and a staff of officials recruited from all nations. The Secretary-General was appointed by the Council subject to the approval of the Assembly. The Secretariat performed the routine work of the League. The League had its headquarters at Geneva in Switzerland.

Functions.

The League had two objects in view, *viz.*, to promote international co-operation and to achieve "international peace and security." The prevention of war and the organisation of world peace were thus the two main functions of the League. For the prevention of war, the League adopted two methods. First, it tried the policy of limitation of armaments. Several Disarmament Conferences were held for this purpose. But all of them came to nothing. Secondly, all members were asked not to resort to war, and to settle their disputes through mutual discussion and settlement. All matters between states likely to lead to war should be submitted either to arbitration, or to judicial settlement, or to enquiry by the Council. There was a Permanent Court of International Justice at the Hague where the disputes might be referred for decision. If any member resorted to war against

Disarmament.

Outlawry of war.

another in breach of the Covenant, it should be considered to be at a state of war with all other members. Under such circumstances, the Council was authorised to take suitable steps against the aggressor nation. When Italy invaded Abyssinia, economic sanctions were applied against her under this rule of the Covenant.

Peaceful settlement of disputes.

The League also performed many non-political functions. The members were pledged to offer fair and humane conditions for labour. An International Labour Office was organised to carry out this object. The League also helped in the suppression of opium traffic, slavery, etc., and maintained a committee on intellectual co-operation etc.

Social and humanitarian functions.

The achievements of the League in the social and humanitarian work were substantial. But it signally failed in its object of outlawing war. It checked aggressive designs of some small states. But it failed when a big nation was involved. Its failure was due to the fact that it was not sincerely backed up by all the big states.

The League has failed in its objects.

The Permanent Court of International Justice: The Covenant of the League of Nations provided for the establishment of an International Court of Justice to decide all cases of dispute between the different nations. This Court was set up in 1921 with its headquarters at the Hague in Holland. It has later been reconstituted as the International Court of Justice under the Charter of the U. N. O.

The International Court now consists of 15 judges elected jointly by the General Assembly and the Security Council of the U. N. O. The judges hold office for nine years. They elect their own President who holds office for three years. The jurisdiction of the Court extends to all disputes between the member-states involving the interpretation of treaties, violations of international laws, breach of international obligations etc. Only member-states can take a dispute to the Court. All decisions are arrived at by the vote of a majority of judges. The President has, however, a casting vote.

The International Court may prove to be a bulwark of peace if the different member states agree to take up all disputes before it and to abide by its decision.

The International Labour Organisation: This organisation, known all over the world as the I. L. O., was established under the Treaty of Versailles. Thus though an adjunct of the League of Nations, it has been preserved in spite of the failure of the latter, and is now recognised by the U. N. O. as the specialised agency dealing with labour conditions throughout the world.

The general aim of the I. L. O. is to seek by international action to improve labour conditions, to raise the standard of living of all workers of the world, and to promote the economic and social stability of all countries. It seeks to guarantee a certain minimum standard in the working conditions of labour throughout the world, such as a common minimum of sanitary conditions, of hours of work and of the provision of a weekly rest etc. Its headquarters are established at Geneva, and its work is carried on by three organs,—the International Labour Conference, the Governing Body of the I. L. O., and the International Labour Office.

The International Labour Conference is the highest authority of the organisation, and constitutes its legislature. It is composed of a number of national delegations sent by each member-state. Each such delegation consists of 4 delegates, of whom two are to be nominated by the government of the country, and one delegate each from the most representative organisations of workers and of employers. The Conference usually meets once a year at Geneva, and its main business is to formulate Draft Conventions embodying the recommendations accepted by the Conference. These Draft Conventions are then sent to the member-states and will not be valid, unless they are ratified by the latter.

The Governing Body is the executive council of the organisation. It consists of 32 members elected by the Conference, of whom half are to be representatives of various governments. The other half is to consist of eight representatives of worker-members and eight of employer-members. Its main functions are to select the various items for the agenda of the Conference, to supervise the work of the Office, and of the various committees, and to manage the finances of the I. L. O.

The International Labour Office provides the secretariat of the conference. It assists the Governing Body and the Conference and collects information on social and economic conditions throughout the world as affecting labour.

The I. L. O. has done very valuable work in improving labour conditions throughout the world. It has adopted more than 90 Labour Conventions, requesting members to adopt an eight-hour day and 48-hour week, holidays with pay, sickness insurance and old age pensions, minimum wages, prohibiting the employment of forced labour, of the employment of women workers in underground mines and of the employment of children under fifteen etc. It had sent a number of missions to assist countries in need of expert advice. It had published a large number of studies dealing with the different aspects of labour problems and had been trying to mobilise world opinion. It is a unique organisation as the representatives of labour and of the employers sit on equal terms in shaping its policies and in framing its decisions.

The U. N. O. The second world war has increased the necessity of some international organisation. Civilisation is bound to perish if the present situation of international lawlessness continues. The League was not a genuine world-state. It was not based on the brotherhood of nations. There is at present a talk about organising the post-war world on a federal basis. Whatever may be the organisation of the post-war world, there is no doubt that the modern citizen must give up thinking only in terms of his own country. He must be internationally-minded, or perish as the result of devastating wars and atom bombs.

The League of Nations, established in 1919, for the maintenance of the peace of the world, failed signally to prevent the last war. This sealed the doom of this League. It became necessary to devise plans for setting up another organisation for the purpose of maintaining peace. In order to meet the situation, the government of the U.S.A. devised a plan, which was submitted to a conference, consisting of representatives of the United Nations fighting the axis powers. The conference was held at Dumbarton Oaks in the U.S.A. The assembled delegates reached an agreement with regard to the plan of setting up a new world organisation. This Dumbarton Oaks Scheme was further reviewed at another conference held at San Francisco in the U.S.A. As a result of these deliberations, the United Nations Organisation has been set up.

The UNO consists of an Assembly and a Security Council. The Assembly consists of representatives of all member-nations. All "peace-loving" nations have equal representation in the Assembly, and an equal vote. It must meet once a year, and discuss various problems.

The Assembly will discuss general principles, and will endorse the decisions of the Executive. The Executive is to be called the Security Council. It consists of eleven members, including representatives of the U.S.A., Britain, Russia, China and France as permanent members, and six others to be elected by the Assembly for two years, one half retiring every year. India was elected a member of the Executive Committee for two years from 1949. Military action in the enforcement of peace can be taken on a majority vote of the Council, provided all permanent members agree. In the old League, a decision must be unanimous. To that extent, the new organisation is an improvement upon the old League.

Besides these two organs, the UNO includes a Trusteeship Council and an Economic and Social Council. The Trusteeship Council has been formed to supervise the administration of non-self-governing people of the world. The Economic and Social Council consists of 18 members elected for a period of three years. Its main function will be to consider and discuss all economic and social problems of the world. In addition, the UNO has a Secretariat to help it in the conduct of its business.

U. N. E. S. C. O.—The full name of this organisation is United Nations Educational, Scientific and Cultural Organisation. It has been established as a specialised agency of the UNO in 1946. All states which are members of the UNO may become members of this organisation. There are three organs of UNESCO,—the General Conference, an Executive Board and a Secretariat.

The General Conference consists of one representative from each member-state. It meets annually to determine the policy of the organisation and to approve the budget for the next financial year.

The Executive Board consists of 18 members. They are elected by the General Conference for a period of three years. One-third of the members retire every year, when new elections are held for these seats. This is entrusted with the executive functions of the organisation, and meets at least twice a year.

The Secretariat is headed by a Director-General who is appointed by the General Conference on the nomination of the Executive Board for a period of six years. The headquarters of the Secretariat is in Paris.

The main function of UNESCO is to promote collaboration among the nations through education, science and culture, and through such collaboration, to further respect for justice, for the rule of law and for the human rights and fundamental freedoms. Thus its ultimate aim is to aid in promoting peace, security and goodwill among nations.

W. H. O. Another specialised agency of the UNO is the World Health Organisation. It has been set up in 1948, and consists of representatives from the member-states. It has two organs,—the World Health Assembly and the Executive Board.

The World Health Assembly consists of one representative from each member-state. It meets once a year and determines the general policies of the organisation.

The Executive Board consists of 18 members, and is entrusted with the function of carrying out the policies laid down by the Assembly.

The main function of the WHO is to provide a forum for the exchange of medical ideas and research, and thus to aid in promoting the improvement of the health of the peoples of the world.

PART II

INDIAN ADMINISTRATION

CHAPTER 1

GROWTH OF BRITISH ADMINISTRATION IN INDIA

The history of the growth of British rule in India dates from the year 1600 when Queen Elizabeth of England granted a Charter to the East India Company, a group of English merchants who wanted to trade with India. The Company confined itself to conducting trade with this country, and opened factories, first at Surat, then at Masulipatam. The Fort St. George was built at Madras in 1640. A few years later, the first factory was opened on the Hooghli in Bengal. Bombay was acquired in 1662. By the end of the 17th century, the Mughal Empire was on the decline and there ensued a scramble for power among different Muslim and Hindu chiefs. The European trading companies began to take advantage of these rivalries. In the meantime Clive won the battle at Plassey in 1757 by defeating Nawab Sirajuddaulla of Bengal, and laid the foundation of British rule in India. New Nawabs were installed in the *gadi* of Murshidabad. The administration was nominally carried on by them but the real power belonged to the servants of the Company. After the battle of Buxar (1764), the Mughal Emperor granted the *Diwani* over Bengal, Bihar and Orissa to the East India Company. The Company thus acquired some *de jure* status in these three provinces. As the Diwan, it collected the revenue of these areas, and maintained civil justice. This period is known in history as the period of "double government." The titular head of administration was the Nawab of Murshidabad, while the real powers were in the hands of the Company's servants.

First factory at Surat.

Battle of Plassey (1757).

Grant of *Diwani.*

"Double Government."

But this led to serious evils. There were much corruption and bribery among the Company's servants, who had power, but no responsibility. There was a severe outbreak of famine in Bengal. At last the Parliament was forced to intervene. It passed the Regulating Act in 1773 to regulate the administration of the Company. By this Act, a Governor-General was appointed to supervise the administration of the different provinces. An Executive Council consisting of 4 members was also appointed to assist the Governor-General. The Governor-General had to consult the Executive Council, and had to abide by the decision of the majority. A Supreme Court was also established at Calcutta with powers to veto acts of the Governor-General. Thus this Act laid the foundation of the British administration in India, and marked the beginning of India's constitutional development.

North's Regulating act of 1773.

The defects of the Act soon became prominent. Hastings, first Governor-General, quarrelled with his Councillors. There were also conflicts between the Supreme Court and the Government. So the Parliament passed another Act in 1784, known as *Pitt's India Act.* This Act authorised the Governor-General to override decisions of the majority of the Councillors in cases of emergency, a power long possessed by the Governor-General. The Governor-General-in Council was given large powers of control over the governments of Madras and Bombay. The most notable provision of the Act was the creation of a Board of Control in London with powers to superintend, and control all acts and operations relating to the government in India. Though the Board consisted of six commissioners, other members soon ceased to take any interest, and in course of time, all powers of the Board were concentrated in the hands of the President of the Board. These powers of the President were transferred to the Secretary of State for India when the Company's government was taken over by the Crown in 1858. Thus Pitt's India Act laid the foundation of the office of the Secretary of State for India.

Pitt's India Act.

The next important step was taken in 1833, when the *Charter Act,* passed by the Parliament, took away all trading activities from the Company. It ceased to be a commercial body. The

Act introduced a highly centralised system of administration. The Governor-General of Bengal was to be designated as the Governor-General of India, and all other Provincial governments were made completely subordinate to the former. A separate member was added to the Executive Council of the Governor-General. His business was to be confined solely to legislation, and he was to be known as the Law Member. Twenty years later, another *Charter Act* was passed. To relieve the Governor-General, the administration of Bengal was placed under a separate Lieutenant-Governor. This Act is notable on another ground. It created the first Legislative Council for India, separate from the Executive Council, composed of twelve members, *viz.*, the Governor-General, the Commander-in-Chief, four Executive Councillors, and six officials from provinces.

Charter Act of 1833.

Charter Act of 1853.

It created the first Legislative Council.

Four years later, came the great Indian Revolt. A large section of the Indian people and Indian troops fought the Britishers unsuccessfully. This revolt sealed the fate of the East India Company. In 1858, the Government of India was transferred to the Crown. And the Act, passed in that year to secure "the better Government of India" abolished the post of the President of the Board of Control and transferred all his powers to the Secretary of State for India. The latter was to be assisted by a Council (known as the India Council).

The Indian Revolt of 1857 ended the rule of the Company.

When the fires of the Indian Revolt died away, the Parliament felt the necessity for conciliating the growing body of educated Indians. So steps were taken to improve the constitution of the Legislative Council. In 1861, the Parliament passed the *India Councils Act.* The composition of the Legislative Council, first established in 1853, was enlarged by the addition of new members. The Governor-General was authorised to nominate, in addition to the members of his Executive Council, six to twelve

India Councils Act, 1861.

members to the Legislative Council. At least half of them must be non-officials, and some of them were Indians. These members were to hold office for two years. The functions of the Legislative Council were, of course, very restricted. It was allowed to discuss only those matters placed before it by the government.

It created Provincial Councils.

The Act also created Legislative Councils in the Provinces. Such Councils were established in Bombay and Madras in 1861, in Bengal in 1862, in the North-Western Provinces in 1886 and in the Punjab in 1897. Each Council was to consist of four to eight members, nominated by the Governor, at least one half of whom were to be non-officials. This Act is notable for another reason. It conferred powers on the Governor-General to promulgate Ordinances in cases of emergency. These were to remain valid for six months. This power is still now enjoyed by the President of India.

Between 1861 to 1892.

The period after 1861 saw many changes in the political life of India. Universities, established since 1854, began to spread liberal education among the people. The Indian National Congress was founded in 1885, and led the struggle for more political advancement. The government was at last induced to make some concession to popular feeling, and passed the *India Councils Act* in 1892. The size of the Indian Legislative Council was enlarged, and the Governor-General was authorised to nominate sixteen members in place of the previous maximum of twelve. These members were to be selected by an indirect method. They were nominated on the recommendation of Chambers of Commerce, District Boards. Universities, etc. The size of the Provincial Legislative Council was also enlarged. The Legislative Council was granted the power of asking questions and of discussing the budget.

India Councils Act of 1892.

Minto-Morley Reforms. The provisions of this Act were soon felt unsatisfactory, and in 1909, the liberal Cabinet of England decided upon more reforms, and passed the *India Councils Act.* This Act is popularly known as the Morley-Minto Act after the names of Lord Morley, the Secretary of State and Lord Minto, the Viceroy. The size of the Indian Legislative Council was increased to 60 members. The number of members of the Provincial legislatures was fixed at 50 for major provinces, and 30 for the rest. The members were to be elected for 3 years by indirect election. The majority of the members of the Indian Legislative Council were officials. But non-officials were given a majority in provincial legislatures. The Act is notable on the ground that it recognised and introduced for the first time the system of communal electorates. The representatives of the Mahommedan community were to be elected through separate electorates. The Act also enlarged the powers of the legislature. It could move resolutions on matters of general public interest, and vote on the budget. Another innovation was that an Indian was appointed to the Executive Council of the Governor-General, and also to the Executive Councils of the three presidencies.

CHAPTER 2

1919 to 1937

The August Declaration of 1917.

The Morley-Minto Act failed to satisfy Indian opinion. In the meantime, the year 1914 saw the outbreak of the first world war. India joined enthusiastically in the fight, and made large contributions in men, material and money. In order to satisfy Indian aspirations for self-government, Mr. Montagu, the then Secretary of State for India, made on behalf of the British government, a Declaration in the House of Commons on August 20, 1917 to this effect: "The policy of His Majesty's Government, with which the Government of India is in complete accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire."

It promised responsible government by progressive stages.

Thus this declaration held out a promise that India would one day achieve the goal of responsible government. No time limit was of course fixed, and the time and the measure of each step towards the goal were to be determined by the British Parliament. In order that he might be in a better position to recommend suitable measures to the Parliament, Mr. Montagu came to India in that year, and issued along with Lord Chelmsford, the Viceroy, a report on Indian Constitutional Reforms. The report is known as the Mont-Ford Report. The recommendations contained in the Report were embodied in a Bill. In this way, the Government of India Act of 1919 was passed.

Provisions of the Reforms Act of 1919.

The Government of India Act of 1919. This Act did not introduce any fundamental change in Indian Constitution except that it recognised for the first time that the goal of India's constitutional development was the attainment of responsible government and that it made some efforts at introducing a sort of responsible government in the Provinces.

Changes made in the central legislature.

(*a*) Bi-cameral system.

(*b*) Direct election.

(*c*) Non-official majority.

(*d*) Large powers but with serious limitations.

The central legislature was divided for the first time into two Houses, *viz.*, the Council of State, and the Indian Legislative Assembly. The majority of members of both Houses were elected. 33 out of a total number of 60 members in the Council of State, and 104 out of a total of 145 members in the Legislative Assembly were elected. The system of direct election was introduced for the first time, but the system of separate electorates for the communities was continued. The legislature was granted somewhat larger powers. It could discuss the budget, and vote upon the various demands for grants except the non-votable items of expenditure. The upper House could discuss the estimates of expenditure, but could not vote upon them. They discussed Bills and voted upon them clause by clause. No Bill could become an Act unless both Chambers passed it. But in spite of this, the legislature had no real power. It toyed with the shadow, while the substance was kept in the hand of the Governor-General. He could veto any Bill passed by both chambers; could stop discussion of any Bill or amendment in the legislature. Bills on certain matters could not be introduced without his previous sanction. By means of his power of certification, he could pass a Bill into an Act even if the legislature was opposed to its passing. He could pass Ordinances valid for six months in times of emergency without consulting the legislature. He could restore any grant refused or reduced by the legislature. He could authorise any expenditure in emergencies without consulting the legislature. Thus the Governor-General was given the power to override the legislature at every step, and he used these powers too often!

Some changes were made in the composition of the Executive Council of the Governor-General. More Indian members were appointed to the Council. The powers of the Secretary of State for India were relaxed a little, especially in relation to matters entrusted to the care of Provincial Ministers. He was, as usual, assisted by a Council, consisting of not less than 8, and not more than 12 members. For the first time, provisions were made for the appointment of a High Commissioner for India in London to act as agent to the Government of India.

Changes in the Executive Council.

High Commissioner for India.

The various subjects of administration were divided into two parts,—central and provincial. The central subjects were Defence, Railways, Currency, Mint, Posts and Telegraphs and other matters of all-India importance. They were administered by the Central Government. The Provincial subjects were Land Revenue, Forests, Irrigation, Registration, Agriculture, etc., and were handed over to the provinces.

Dyarchy. Important changes were introduced in the administration of provinces. Provincial subjects were divided into two parts, *viz.*, Reserved and Transferred. The Reserved subjects were Police, Jails, Administration of Justice, Finance, etc. These were administered by the Governor with the help of an Executive Council. The Transferred subjects were Agriculture, Industries, Co-operation, Education, etc. These were administered by the Governor with the help of Ministers. Since the government was divided into two parts, the system was known as *Dyarchy*. The members of the Executive Council (whose number varied from 2 to 4) were appointed by the king for a period of five years. They were not responsible to the legislature. The Ministers were appointed by the Governor from among the members of the legislature. Each of them was placed in charge of one or more transferred departments. They were responsible to the legislature, and had to resign when the latter passed a vote of no confidence in them. Ordinarily the Governor was to accept and act on the advice of his Ministers. But he could override their decisions if he found sufficient reasons for taking such a course.

Changes in provincial government.

Thus responsible government in a partial form was introduced in Provinces.

Provincial Legislative Council.

Each Province had a Legislative Council,—a one-House legislature. The majority of the members were elected on the basis of separate electorates for each community. The members of the Executive Council were nominated to the legislature. With regard to Reserved subjects, powers of the legislature were similar to those of the central legislature, the Governor possessing almost the same overriding powers (except the power of promulgating an Ordinance) as the Governor-General. In relation to transferred subjects, the Ministers were responsible to the legislature which could remove them if necessary.

Defects of Dyarchy.

Separation of subjects into two halves was defective.

The Governors over-rode the ministers.

No joint responsibility among ministers.

This dyarchical system of government soon gave rise to great difficulties. Government is an organic whole. Its different departments cannot be divided into water-tight compartments without loss of efficiency. Dyarchy meant that Provincial governments were divided into two halves,—Reserved and Transferred, each controlled by a different authority. As a result of this artificial division of subjects, difficulties were bound to arise unless steps were taken to work the two parts as one. This was not done in many cases. The Governor did not follow the practice of joint deliberation between the Executive Councillors and the Ministers. This was a serious defect. Secondly, if the system of responsible government was to be introduced for the Transferred half, the Governor ought to have acted as a constitutional adviser. He should not have interfered in the work of Ministers. But on many occasions, the Governor overrode the decisions of Ministers. Thus the principle of responsible government was nullified. The Governors did not also encourage joint deliberation among Ministers. They adopted the practice of conferring separately with each Minister. Ministers were not given any opportunity to deliberate collectively as a cabinet. This went against the principle of responsible government.

There was no real ministerial responsibility.

Responsibility of Ministers to the legislature was also reduced to a myth. Ministers were seldom backed by a majority of elected members. They became dependent on official members whose votes kept them in office. They were therefore forced to adopt measures acceptable to officials. The presence of a solid block of official members in the legislature thus reduced the principle of ministerial responsibility to nullity.

Lack of funds.

The failure of dyarchy became prominent for another reason. The years after 1921 were bad years for the finances of the Provinces. Most of them were faced with budget deficits. So the Ministers did not obtain any funds to carry out popular measures. This made them unpopular to the people.

From 1921. There was, therefore, widespread dissatisfaction with the reforms. The Indian National Congress started the Non-co-operation movement in 1921 under the inspiration of Mahatma Gandhi. The government was forced to yield. The Act of 1919 contained a provision that an enquiry should be held into the working of the constitution ten years after the passing of the Act, *i.e.*, in 1929. But two years before that date, a Statutory Commission, consisting of seven members of the British Parliament, was appointed and sent to India to report. The Commission is known popularly as the Simon Commission after the name of its Chairman. The Commission was boycotted by the major Indian parties. The report of the Commission was issued in June, 1930. It recommended the abolition of dyarchy, and the introduction of autonomy in the Provinces.

Simon Commission.

But events were moving at a rapid pace in India. In reply to the insistent demand of the Indian people, Lord Irwin, the then Viceroy, announced in October, 1929, that the goal of the

India's constitutional development was Dominion Status, and that a Round Table Conference consisting of representatives of India and the British Government would soon be held in London to draw up a new constitution. This announcement was made before the Simon Report was published.

Lord Irwin's Declaration of Oct., 1929.

The first Round Table Conference.

Second Round Table Conference.

The first Round Table Conference was held in London in the winter of 1930. It was attended by some representatives from India, and by the Native Princes. The Conference decided upon a plan of an All-India Federation, consisting of British Indian Provinces and the Native States. The Provinces were to be granted autonomy, while responsible government would be introduced at the centre, subject to suitable safeguards. To create a favourable atmosphere for the reception of these proposals, Lord Irwin made a truce with Mahatma Gandhi and all Congress prisoners were released. The second Round Table Conference was held in 1931 when Mahatmaji attended as the sole Congress delegate. The Conference was practically a failure. No solution of the problem of minorities was to be found.

Communal Award. Poona Pct.

Third Round Table Conference.

White Paper. Joint Select Committee Report.

In the meantime, the British Premier announced the *Communal Award* to solve the problem of representation of the minorities. The Award was later modified by the Poona Pact as regards the representation of Depressed Classes. Later in 1932, the third Round Table Conference was held. His Majesty's government then published a White Paper, outlining their own proposals for a new Indian constitution. The proposals were examined by a Joint Select Committee of the British Parliament, aided by some Indians. The report of this Committee suggested some modifications of these proposals. These were embodied in a Bill, and were passed by the Parliament. This Act is known as the Government of India Act of 1935, and forms the basis of the constitution of India till 1947.

CHAPTER 3

THE GOVERNMENT OF INDIA ACT OF 1935

Features of the Act.

The Government of India Act, as passed in 1935, introduced several changes. First, it provided, for the first time, for the establishment of a federation of British Indian Provinces and Native States. Secondly, it sought to introduce dyarchy at the centre. Among Federal subjects, Defence, External Affairs, Tribal Affairs and the Ecclesiastical Department were to be kept in sole charge of the Governor-General. He might appoint not more than three Counsellors for this purpose, who would be responsible only to him. The remaining Federal subjects were to be administered by a Cabinet of 10 Ministers, to be appointed by the Governor-General. These Ministers would be responsible to the Federal legislature. Lastly, the Act introduced Provincial autonomy. All Provincial subjects were transferred to the control of Ministers, responsible to Provincial legislatures. Above all these institutions remained the Secretary of State for India in London, shorn of some powers, but still retaining great strength.

Features of the Federation.

The federation proposed in the Act was to have been formed by eleven British Indian Provinces, six Chief Commissioner's Provinces, and those Native States which executed the Instrument of Accession. When the Rulers of the States decided to join, they would have to execute an *Instrument of Accession.* In each Instrument, the Ruler was to specify the subjects over which the Federation would exercise control over his State. When the number of States whose Rulers acceded to the Federation was such that they contained at least half the total population of all States, and were entitled to send not less than 52 members to the Council of State, the British Parliament would present an address to His Majesty, requesting him to form the Federation. The King would then issue a Proclamation, and form the Federation. In the Federation, there would be a Federal Executive, consisting of the Governor-General as the representative of His Majesty and a Council of Ministers. There was to be a Federal Legislature consisting of two houses, *viz.*, the Council of State and the House of Assembly. The Federation would exercise exclusive control over Federal subjects and over Concurrent subjects jointly with Provinces. There would also be a Federal Court. Similarly, the Provincial executive, which would enjoy autonomy in the control of Provincial subjects, would consist of the Governor as the representative of His Majesty and a Council of Ministers. The Provincial legislature would consist of two Houses in six Provinces, (*e.g.*, Assam, Bengal, Bihar, U. P., Bombay, and Madras), and of one house in other Provinces.

Similarities between Central and Provincial Government.

There were a great many similarities in the organisation of both Federal and Provincial governments. In both, the central idea was to introduce responsible government with safeguards. The Governor-General and the Governors were required to appoint a Council of Ministers from among the members of the legislature, to aid and advise him in the administration of subjects placed under their control. In the case of the Federation, the number of Ministers was limited to ten, while there was no such limit in the case of Provincial Ministers. Both the Federal and Provincial Councils of Ministers were to be appointed in the same way. The Governor-General, or the Governor as the case may be, was to call upon the leader of the party or parties likely to command a stable majority in the legislature to form a Ministry, and appoint other Ministers on his advice. He should try, as far as possible, to include representatives of important minorities in the ministry. (In the Federal Ministry, representatives of Native States should also be included). The Governor-General or the Governor might preside over the meetings of the Council of Ministers. The Ministers, both Federal and Provincial, were responsible to the legislature, and must resign when the legislature passed a vote of 'no confidence' against them. Ministers must be members of the legislature, and a

Minister who was not a member of the legislature for six consecutive months, should resign his post.

All this was common to both the Federation and the Provinces. There were also great similarities in the powers exercised by the Governor-General and the Governor. Both of them possessed two kinds of special powers,—powers to be exercised at their discretion, or discretionary powers, and powers to be exercised in their individual judgment. And with few exceptions, these powers were almost the same.

Discretionary Powers. The following discretionary powers were possessed by the Governor-General in executive, legislative, financial and other spheres. He was to administer the Reserved Departments—*viz.*, the Defence, External, Ecclesiastical and Tribal Affairs, in his discretion, and might appoint not more than three Counsellors to assist him in these Departments. He was to appoint Ministers or dismiss them in his discretion. He appointed a Financial Adviser, Chief Commissioners, members of the Federal Public Service Commission, officiating Chief Justice of the Federal Court and High Courts etc. In the legislative sphere, he might summon, prorogue or dissolve the Federal legislature, summon a joint sitting of both Houses, and address the legislature in his discretion. Bill on certain subjects could not be introduced in the legislature without his previous sanction, given in his discretion. He might stop the proceedings with respect to any bill or amendment in the legislature if it affected his special responsibility regarding the peace or tranquillity of India. He was to give his assent to, or veto a Bill or send it back to the legislature for its reconsideration, or reserve it for the significance of His Majesty's pleasure,—all in his discretion. He could pass an Act, to be known as the Governor-General's Act, even against the wishes of the legislature. He could promulgate an Ordinance to be valid for six months, if that was necessary for the due discharge of his special powers.

Legislative powers.

In the financial sphere, he was to determine, in his discretion, the expenses to be incurred in Reserve Departments. He also determined the items of expenditure which fell in the group, *"expenditure charged upon the revenues of the Federation,"* and these were not submitted to the vote of the legislature. If the legislature refused to approve of any demand for grant of money, or reduced its amount, the Governor-General might restore it to the original amount if that was necessary for the due discharge of his special responsibility.

Financial Powers.

He had also certain discretionary powers in the event of the breakdown of the constitution. If he found at any time that it was not possible to carry on the administration with the help of a Council of Ministers, he might issue a Proclamation, and assume to himself all powers necessary to carry on the administration.

In the exercise of these discretionary powers, the Governor-General was not bound to consult his Ministers. The administration of these subjects thus lay outside the jurisdiction of Ministers. It should be noted that before exercising any of those discretionary powers, the Governor-General had to consult and obtain the assent of the Secretary of State.

The administration of all other matters, except these discretionary powers, was to be conducted by the Governor-General, with the help of Ministers. Usually each Minister would be placed in charge of one or more departments, and carry on the day-to-day administration. The Governor-General would normally accept the advice of Ministers, and will not interfere in their work. But there were certain matters in respect of which the Governor-General might disregard the advice of the Ministers, and act according to his own opinion. These were the powers to be exercised in his individual judgment. The Governor-General was to exercise his individual judgment in respect of the following matters:—(*a*) prevention of any grave menace to the peace or tranquillity of India or any part thereof; (*b*) safeguarding the financial credit and stability of the federation; (*c*) safeguarding

Special Responsibilities.

the rights of minorities; (*d*) safeguarding the rights and legitimate interests of public servants and their dependants; (*e*) prevention of commercial discrimination; (*f*) prevention of discriminatory taxation against goods of British or Burmese origin; (g) protection of the rights of the Rulers of Native States; (*h*) the securing of the due discharge of his discretionary powers. These matters are called his special powers. These matters were called his *"special responsibilities"*. As in the case of discretionary powers, the Governor-General had to act according to the directions of the Secretary of State in the exercise of these powers.

Federal legislature. The Federal legislature was to consist of two houses, the Council of State, and the House of Assembly. The former consisted of 150 members elected directly from Provinces, 104 members appointed by the Rulers of States and 6 members nominated by the Governor-General. It was to be a permanent body, but one-third of its members would retire every three years. Each member would sit for 9 years. The lower House was to consist of 375 members of whom 250 would be elected by members of the Provincial Legislative Assemblies, and not more than 125 members would be nominated by the Rulers of States. The House would sit for 5 years, unless sooner dissolved by the Governor-General.

The powers of this legislature were seriously limited by the legislative powers of the Governor-General, which had already been stated. Both Houses possessed co-equal powers. But money bills could only be introduced in the lower House. But all Bills must be approved by both Houses. One peculiar thing was that, unlike any other second chamber in the world, the Council of State possessed the power of voting upon the demand for grant.

Provincial Executive. The Provincial executive consisted of the Governor as the representative of His Majesty and a Council of Ministers. All subjects of administration were transferred to the control of Ministers, appointed by the Governor from among the members of the legislature.

Like the Governor-General, the Governor also possessed two kinds of powers,—discretionary powers and powers to be exercised in his individual judgment. We shall discuss them one by one.

Discretionary Powers. These were exercised by the Governor solely on his own responsibility. The ministers had no right to demand that they must be consulted before the exercise of these functions. These powers might be classified as executive, legislative, financial and other powers.

Executive powers.

In the executive sphere, the Governor administered the Excluded Areas in the province. The ministers had no authority over these areas. The Governor appointed the ministers, and dismissed them in his discretion. He also appointed the members of the Provincial Public Service Commission. He had also the power to make rules for safeguarding that the sources of information of the Intelligence Department relating to the suppression of terrorist crimes were not to be disclosed except to those authorised by him. In this way he could prevent the Ministers from interfering unduly in the work of the Police Department.

Legislative Powers.

In the legislative sphere, the Governor had the power to summon, prorogue, or dissolve the legislature. There were certain subjects (*e.g.*, repeal or amendment of the Governor's Act or Ordinance, or of the Police Act, or transfer of land to public ownership, etc.), in respect of which no Bill could be introduced in the legislature without his previous sanction. He could stop further proceedings in the legislature with respect to a Bill or amendment if it affected his special responsibility regarding the peace and tranquillity of the province. After a Bill was passed by the legislature, he might give his assent to it. It then became law. Or he might send it back to the legislature for reconsideration ; or reserve it for the significance of the Governor-General's pleasure. He had also independent powers of law-making. He could pass Acts relating to those subjects in which he had special responsibility. These Acts were to be known as Governor's Acts, and would be valid like an Act of the legislature. He could also promulgate an Ordinance in cases of emergency if that was necessary for the due discharge of his special powers.* These Ordinances would remain valid for six months.

Financial powers.

He had also considerable powers over financial matters. The statement of revenues and expenditure of the province was laid before the legislature on his recommendation. No demand for grant and no Bill relating to taxation could be moved in the legislature except on his recommendation. He determined those items of expenditure which were to be *charged on the revenues of the Province.* These were (*a*) the salaries and allowances of the Governor and his staff, the Ministers, Advocate-General, Judges of the High Court; (*b*) debt charges; (*c*) expenditure on Excluded Areas, etc. Estimates of "charged" expenditure were not submitted to the vote of the legislature. The estimates of expenditure on other items were submitted to the vote of the legislature. The latter might refuse to sanction them, or reduce their amount. But the Governor might restore them to their original amount if that was necessary for the due discharge of his special responsibilities.

Powers in the event of break-down.

He had also some discretionary powers in the event of a break-down of the constitution. Under Sec. 93, if the Governor found at any time that the administration of the Province could not be carried on in accordance with the provisions of the Act of 1935, he might issue a proclamation, and assume to himself all powers as would be necessary to carry on the government. This was done during the last war when the Governors of seven provinces (Bihar, Bombay, C. P., Madras, Orissa, the U. P. and Bengal) declared a break-down of the constitution, and themselves carried on the administration.

Powers to be exercised in his individual judgment. All other matters were decided by the Council of Ministers. Normally, the Governor had to act according to their advice in regard to these matters. But under certain circumstances, he could disregard the advice of his ministers. He was first to listen to the advice of his ministers, and then exercise his individual judgment, and administer the matter according to his own opinion.

---

* The Governor might also pass an ordinance *on the advice of his ministers*, when the legislature was not in session. These ordinances would lapse after six weeks from the date on which the legislature meet, or after a resolution to that effect was passed by the legislature.

Special responsibilities.

The matters on which he could disregard the advice of the ministers were known as his special responsibilities. The following were the *special responsibilities of the Governor, viz.,* (*a*) prevention of any grave menace to the peace and tranquillity of the Province or any part thereof; (*b*) protection of the legitimate interests of the minorities; (*c*) protection of the rights and legitimate interests of the Public Servants and their dependants; (*d*) protection of the rights of the Rulers of the Native States; (*e*) prevention of commercial discrimination against the British; (*f*) administration of Partially Excluded Areas; (*g*) carrying out the orders of the Governor-General.

In so far as he exercised any of his discretionary powers, or in so far as he exercised his individual judgment, the Governor was under the general control of, and must comply with the directions of the Governor-General.

Thus the Governor was granted substantial powers of interfering in the work of the Ministers. The exercise of these powers hampered the development of full responsible government in the Provinces.

The relation of the Governor with his Ministers had already been stated. He appointed them. and dismissed them in his discretion. The Governor appointed the Ministers in consultation with the leader of the majority party in the legislature. He presided over the meetings of the Council of Ministers. The Ministers were, in their turn, dependent on the legislature at every turn. They must be members of the legislature within six months of their appointment, if they were not so already. They attended the sessions of the legislature, and explained and defended their policy. If the legislature passed a vote of no confidence against them, they resigned.

Provincial Legislature. The Provincial legislature consists of two houses in six Provinces, *e.g.*, Assam, Bengal, Bihar, U. P., Bombay and Madras, and of one house in other Provinces. The lower house consisted of elected members, elected by voters, voting in separate, communal constituencies. The upper house (where there is one) consisted of members elected by voters, members elected by the members of the lower house, and members nominated by the Governor. The upper house was a permanent body, one-third of its members retiring every 3 years. Every member sat for 9 years. The lower house sat for 5 years, unless sooner dissolved by the Governor. The powers of the legislature were limited by the legislative and financial powers of the Governor, which had been stated before. As regards the relation of two houses, all bills except money bills, could be introduced in both houses. Money bills could be introduced only in the lower house. All bills must be approved by both. The upper house had no power to vote upon the demand for grant.

Composition.

Such were the main outlines of the structure of government set up at the centre and the Provinces under the Act of 1935. Over all these governments stood the Secretary of State in London whose powers we must now discuss.

Secretary of State. The Secretary of State was a member of the British cabinet, appointed by the King on the advice of the Prime Minister. He held office so long as the cabinet remained in office, or so long as he was asked to remain by the Premier. He was a member of the British Parliament, and was responsible to it for his Indian policy. The post of the Secretary of State was created for the first time in 1858 when the Crown took over the administration of India.

He was entrusted with large powers of control over the governments established in India. As the adviser of the Crown, he was the person responsible for the appointments made in the name of the King. He advised the King to veto or give his assent to the various Acts and Ordinances passed by the executive and the legislature in India.

Powers and functions as the adviser of the King.

Under the Government of India Act of 1935, "the Governor-General and the Governor-General-in-Council shall be under the general control of, and shall comply with such particular directions, if any, as may from time to time be given by the Secretary of State." Thus the Government of India was completely subordinate to the Secretary of State. The Secretary of State had to be constantly kept informed by the central government of the Indian affairs. The latter had to consult him and to carry out his orders with regard to all important matters.

Powers over the Government of India.

The Secretary of State had no direct control over Provincial ministeries. The Provincial governments now possessed autonomy from the control of the Secretary of State. They were responsible to their legislatures. But that did not mean that he had no powers over Provincial administrations. The Governors of the Provinces were granted substantial powers of controlling provincial governments by virtue of their special responsibilities and discretionary powers. In so far as each Provincial Governor exercised his special powers, he had to consult, and comply with any direction given by the Governor-General, and the Governor-General was under the control of the Secretary of State. So the latter could control Provincial administrations by asking the Governors, through the Governor-General, to exercise their special powers.

Powers over the Provincial governments.

He exercised indirect control over the various administrations in another way. The members belonging to important public services, like the I. C. S., I. P. S., were appointed by him. He determined their conditions of service, and all orders, rules and regulations affecting these services could only be made with his approval. If any officer was aggrieved by any order of the Government, he had the right to appeal to the Secretary of State. Thus by controlling the superior services, he could indirectly control the administration.

Powers over the Public Services.

He had certain duties in relation to Indian administration.

Agent of the Parliament.

As the agent of Parliament, he had to supply it with all informations and to answer all querries asked by the members. He had to lay the Draft Instrument of Instructions to the Governor-General and the Governors, and the Orders-in-Council before the Parliament for its approval.

Advisory Body.

He was assisted in his work by an Advisory Body consisting of 8 to 12 members appointed by him. He could consult them, and seek their advice on any matter he deemed necessary. But he could not issue any order relating to the rules and regulations affecting the public services, or relating to revenues of the government of India, or to the raising of sterling loans in England without the consent of the majority of the members of the Council.

Composition.

Advisory Body. The Advisory body of the Secretary of State for India was the offspring of the Council of India. The Council was established in 1858 to assist the Secretary of State for India. It was abolished by the Government of India Act of 1935, and its place was taken by the Advisory Body. It consisted of not less than eight, and not more than twelve members, the exact number to be decided by the Secretary of State. The Secretary of State was granted the power to reduce the number of Advisers to five. The members were appointed by him, and held office for five years. But on the establishment of the federation the Secretary of State might ask any one of them to resign. They could not become members of the Parliament. At least one-half of them had to be chosen from persons who held office for at least 10 years under the Crown in India, and had not left the shores of India more than two years before the date of their appointment.

Functions.

The Secretary of State might consult them, and seek their advice on any matter he liked. He need not accept their advice. But he had to consult them, and secure the consent of the majority of the advisers on all matters relating to the revenues of the Governor-General-in-

Council, to the raising of Sterling loans in England, and to rules, regulations and orders affecting the Public Services in India.

Indian Independence Act, 1947.

This Act was passed in the teeth of Indian opposition. The Part III of the Act which laid down the constitution of the Provinces was introduced from April, 1937. Attempts made to introduce the Federation were given up during the last war to placate Indian opinion. The end of that war was followed by a new election in Great Britain when the Labour Party came to power. As a result of the change of policy initiated by the Labour Cabinet, a compromise was ultimately reached between the Congress and the Muslim League. In accordance with the terms of the compromise, the Parliament passed the Indian Independence Act in 1947, setting up two Dominions, India and Pakistan. That Act gave the Governor-General power to modify the Government of India Act of 1935 in suitable manner until 31st March, 1948. In accordance with this power, the Government of India Act of 1935 was modified to a large extent, and it is this amended Act that forms the basis of the present constitution. In the following chapters, we propose to discuss the amended Government of India Act of 1935.

CHAPTER 4

CABINET MISSION AND AFTER

During the last war the British Government promised that at the end of hostilities, they would set up suitable machinery to enable Indians to devise their own constitution. In order to carry out this promise, the Labour Cabinet sent three of its members to India "with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible." The Mission consisted of Lord Pethick-Lawrence, the Secretary of State for India, Sir Stafford Cripps and Mr. Alexander, two other members of the Cabinet. The Mission conducted negotiations with the Congress and the Muslim League, and tried to bring some agreement between them. As no agreement was possible, the Mission announced, on May 6, 1946, its own proposals for the future constitution of India. After stating that the Muslim League's demand for an independent Pakistan State could be accepted, the Mission recommended that the future constitution should be based on a Union of India, embracing both British India and the States. This Union will administer the following subjects—Defence, Foreign Affairs, and Communications. It may be entrusted with other subjects if the proposed Constituent Assembly so decide by a majority of votes, provided that this is agreed to by the majority of the members of both the major communities. This Union shall have an Executive and a Legislature, consisting of representatives from British India and the States. It shall also have the power to raise the necessary finances to meet its expenses in any way to be decided by the Constituent Assembly. One important limit has been placed on the powers of the future Union Legislature. As in all legislatures, all subjects are to be decided by the votes of a majority in ordinary cases. But if any matter involves a major communal issue, it can only be decided by the votes of a majority of the two major communities. This has been done in order to allay the fears of the Muslims that they may be submerged by the huge Hindu majority. All subjects other than the Union subjects are to be administered by the Provinces and the States. The residuary powers will also belong to the latter. The proposed Union will thus be a very weak organisation with extremely limited powers. There is no other federation in the world which was granted such a small number of subjects. This was a most defective feature of the proposed constitution. The actual details of the composition of the executive and the legislature will be decided by the Constituent Assembly. It should be noted that the plan is silent about the question of establishing a Federal Court. Most probably it will be decided by the Constituent Assembly.

The provinces will have complete autonomy in all other subjects. Their constitutions will be decided by the Constituent Assembly, elected from the provinces. They shall also be free to form Groups with an executive and a legislature, and each Group shall determine the subjects to be entrusted to the legislature of the Group. The Plan, however, divides the provinces into three Sections, A, B and C. Section A shall consist of Madras, Bombay, the U. P., Bihar, the C. P., and Orissa. Section B shall include the Punjab, Sind and the N.W.F.P. Section C shall consist of Bengal and Assam. The representatives elected from each Section shall settle the provincial constitutions, and shall also decide whether any Group constitution is to be set up for each Group. It is not clear whether the members belonging to each province shall sit separately, and decide whether they shall join the Group to which they have been placed; or whether all the members of all provinces included in each Section shall sit together, and decide, by the vote of a majority, to form a Group. Each province is, however, free to go out of a Group if the majority of the members of the new legislature of a province, formed after the first general election, decide to do so.

Thus the future constitution shall consist of the Union at the top with only three subjects to administer; three Groups with some subjects; and lastly the provinces to deal with all residuary subjects. Each of them will have a separate executive and legislature.

In order to fill in the details of this constitution, a Constituent Assembly shall be elected by the Provinces and the States. It will consist of 389 members, of whom 296 will be elected from British India, and 93 from the States. The manner of electing the representatives from the States shall be determined after consulting their Rulers. The members from the Provinces will be elected by the members of the Provincial Legislative Assemblies (*i.e.*, the lower house in Provinces with two chambers). The representatives are to be elected by each Province and each community in proportion to its population, roughly in the ratio of one to a million. The total seats allotted to each Province shall be divided among the major communities in proportion to their population. Representatives allotted to each community shall be elected by the members of that community in the Legislative Assembly by the method of proportional representation with the single transferable vote. The following table shows the total number of members to be elected from each Province and each community.

TABLE OF REPRESENTATION

SECTION A

Province		*General*	*Muslims*	*Total*
Madras	...	45	4	49
Bombay	...	19	2	21
U. P.	...	47	8	55
Bihar	...	31	5	36
C. P.	...	16	1	17
Orissa	...	9	0	9
TOTAL	...	167	20	187

SECTION B

Province		*General*	*Muslims*	*Sikhs*	*Total*
Punjab	...	8	16	4	28
N. W. F. P.	...	0	3	0	3
Sind	...	1	3	0	4
TOTAL	...	9	22	4	35

SECTION C

Province		*General*	*Muslims*	*Total*
Bengal	...	27	33	60
Assam	...	7	3	10
TOTAL	...	34	36	70

In addition to these members, the members representing Delhi and Ajmer-Merwara in the Central legislature and a representative to be elected by the Coorg Legislative Council shall also be added to Section A. A representative from Beluchistan shall be added to Section B.

After the election of these members is over, the representatives including the representatives from the States will meet at New Delhi, elect a Chairman of the Assembly and settle the general order of business to be conducted. The Assembly shall also elect an Advisory Committee on the rights of citizens, minorities, tribal and excluded areas. This Committee shall contain representatives of all interests affected, and shall report the Constituent Assembly upon the list of Fundamental Rights, the protection of the minorities, administration of the Tribal and Excluded areas, and advise whether these rights should be included in the Union or Group or Provincial constitutions.

Thereafter the representatives shall be divided into three Sections stated above, and shall decide the constitutions of the Provinces and of the Groups, if the formation of the Group is agreed to. After settling these, the members shall again unite, and along with the representatives of the States shall settle the constitution of the Union. The Constituent Assembly shall be free to form any constitution, subject to two important limits. It cannot vary the main outline of the constitution stated above unless the majority of the major communities accept the proposal. Similar approval is necessary to decide resolutions raising any major communal issue. The Chairman of the Assembly shall decide whether any resolution raises major communal issues. He must, however, consult the Federal Court if requested to do so by the majority of either of the major communities. The Constituent Assembly shall be free to decide whether India shall remain a member of the British Commonwealth of Nations or not. It will be necessary to negotiate a Treaty between the Constituent Assembly and the British Government to provide for certain matters arising out of the transfer of powers.

The constitutions of the Union and the Groups should contain a provision that any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution at the end of every ten years.

This is the main outline of the proposed constitution. In the meantime the Government proposed to set up an interim government, consisting of the representatives of the major parties.

The Cabinet Mission Plan outlined above was at first accepted by the Muslim League. But later on account of differences over the interpretation of the Plan with the Congress, the Muslim League refused to accept the Plan. As a result, when the Constituent Assembly met at Delhi to draw up the new constitution, the delegates belonging to the League refused to join it. Representatives of all other minorities and a few Muslims, belonging to the Congress, joined the Constituent Assembly. To solve this difficulty, the British government at first announced, on February 20, 1947, its firm intention to quit India by the end of June, 1948.

Lord Wavell resigned, and a new Viceroy, Lord Mountbatten, was sent to India. The new Viceroy conducted negotiations with the Congress, the League and the Sikhs for evolving an agreed plan. He was successful, and on June 3, 1947, the agreed Plan was published.

The Plan of June 3. The Congress, true to its principles, admitted the right of any part or parts of India to secede if they did not like to remain united with the rest of India. So the right of the Punjab, Bengal, Sind, Beluchistan and the N.W.F.P. to secede and form a new Constituent Assembly was accepted by the Congress, provided that those non-muslim majority areas of Bengal and the Punjab which wanted to remain in India were partitioned from these provinces. This was agreed to by the League. In order to consult the wishes of the people in these provinces, it was laid down that the members of the Legislative Assemblies of Bengal, Sind and the Punjab would sit together and decide whether they would join the Constituent Assembly of India, or that of Pakistan. The members of the Legislative Assemblies of Bengal and the Punjab would be divided into two parts,—one representing muslim majority districts, and the other to represent non-muslim majority districts. These members were to sit in sections, and decide whether they would join the Indian Constituent Assembly or not. If the two parts decide to go to two constituent assemblies, these provinces would be partitioned. In the N.W.F.P., a referendum would be held in July to decide whether the province would join Pakistan or not. If Bengal is to be partitioned, such a referendum would also be held in the district of Sylhet in Assam to decide whether it would join the eastern part of Pakistan, or remain united with Assam. Steps would also be taken in Beluchistan to determine the wishes of the people.

Thus India was to be divided into two parts, Pakistan consisting of Sind, parts of the Punjab, Bengal and Assam, the N. W. F. P. and Beluchistan, and the rest of India. Already the Legislative Assemblies of Bengal and the Punjab have decided to partition these provinces. Beluchistan and Sind have decided to join Pakistan, and as the Frontier Congress have decided to boycott the referendum, there was no doubt that the N. W. F. P. would also join Pakistan. Sylhet has decided to join East Bengal. Boundary Commissions have been set up to determine the boundaries of the muslim-majority areas in Bengal including Assam and the Punjab.

While these steps were being taken in India, the British government pushed on with a Bill which proposed to confer Dominion Status on the Indian Union and Pakistan. The Bill was passed into law by 15th August, 1947, when the two Dominions were set up. The Constituent Assemblies of the two Dominions had the freedom to go out of the British Commonwealth and set up independent states. The Indian Constituent Assembly have already passed a resolution for establishing a union of socialist republics in India. The new Indian constitution has been in operation.

Indian Independence Act, 1847. In pursuance of their decision of June 3, 1947, to confer Dominion Status on India by the middle of August, the British Cabinet introduced a Bill in the Parliament on July 4. The Bill was passed as the Indian Independence Act. It created two new Dominions, India and Pakistan. Pakistan consists of Sind, Beluchistan, the muslim-majority areas of the Western Punjab and Eastern Bengal to be determined by Boundary Commissions, the muslim majority areas in the Sylhet and adjoining districts of Assam (if Sylhet decide by a referendum to join East Bengal) and the N. W. F. P. (if the majority of voters so decide). The remaining territories of British India shall comprise the Indian Union. Each of these territories will be granted Dominion Status on 15th August, 1947. Thereafter, the power of the British Government and Parliament over India will cease altogether. All powers will be transferred to the two Constituent Assemblies of the two Dominions. Each Constituent Assembly shall frame a constitution for each Dominion in any way it likes. It may decide to remain in the British Commonwealth as a Dominion, or may declare itself as independent. Pending the framing of such constitutions, the different provincial and the central governments of the two Dominions will be carried on in accordance with the provisions of the Government of India Act of 1935. But the powers of the Governor-General and the Governors to act in their discretion and individual judgment as required by that Act will no longer remain. In other words, they will have to act on the advice of their Ministers under all circumstances. Moreover, according to conventions, the Governor-General and the Provincial Governors will be appointed after August 15, on the advice of the Cabinet of the two Dominions. If the two Dominions agree, the same person may be appointed to serve as the Governor-General of both the Dominions. Pending the framing of a new constitution the powers of the legislature of each Dominion shall be exercised by the Constituent Assembly of that Dominion.

With regard to the States, the Act states that the paramountcy of the Crown over the States will lapse after August 15. States will be free to join either of the two Dominions. But some of them have declared their intention to be independent. So this Act has dangerous implications as it may lead to the break-up of Indian unity and creation of a large number of States in India.

Dominion Status.

Dominion Status. Under the Indian Independence Act, India became a Dominion. It is necessary to consider the full implications of the concept of Dominion Status on which so much stress is laid. Dominion Status means the status of the Dominions, *e.g.*, Canada, Australia, the Irish Free State, etc. These Dominions are "autonomous communities within the British Empire, *equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs,* though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations." The Dominions are not, therefore, subordinate to the British Government in any matter.

They are practically sovereign states. They have their own army and navy. They may not join any war fought by England, as was done by Ireland during the last war. They may secede from the British Commonwealth of Nations if they like.

The Indian Constituent Assembly has decided that India will in future be a republic. But she will remain a member of the Commonwealth of Nations. The King will remain as the titular head of the Commonwealth. But he will not exercise any functions in India.

CHAPTER 5

THE CENTRAL GOVERNMENT

At the present moment, the government of India is carried on by the President assisted by a Council of Ministers.

President. The office of the President has been created for the first time by the Constitution of 1950. He is to be elected by the elected members of both Houses of Parliament and of the Legislative Assemblies of the States, sitting jointly. He shall hold his office for five years and may be re-elected at the end of the period. In order to be elected as a President, a person must be a citizen of India, must be at least 35 years in age, and must possess the qualifications of a member of the House of the People. He is not subject to the jurisdiction of ordinary courts.

He is the head of the Government. He exercises the prerogative of granting mercy, and can pardon any offender. The President must always act as a constitutional ruler, and act on the advice of the ministry. The present Act formally grants him certain powers. But these, it should be clearly understood, must always be exercised on the advice of the Ministers.

Powers of the President.

His powers may be grouped under several heads:—executive, financial and legislative. We shall discuss them one by one.

Executive Powers. The President is the chief executive. His power extends to all matters in which the Parliament has the power to make laws. He appoints the Governors of the States, the Ministers at the centre, Attorney-General for India, the Comptroller and Auditor-General, the Judges of the Supreme Court and of the High Courts, the members of the Union Public Service Commission and other high officials.

Legislative Powers. The President is a part of the legislature and may summon or prorogue or dissolve the legislature. He may address the legislature and send messages to them. No Bill which affects any tax in which the States are interested can be introduced in the legislature without his assent to it. When a Bill

Legislative Powers :

is passed by the legislature, he may give his assent to it. In that case it becomes a law. He may veto the Bill. But as the President must act like a constitutional ruler, by convention he will not veto any Bill. Or, he may send the Bill back to the legislature for reconsideration. He may promulgate ordinances in cases of emergency when the Parliament is not sitting. These ordinances will remain valid like ordinary laws till the end of six weeks from the date of re-assembly of the Parliament. The Parliament may extend the period by a resolution.

Financial Powers. The President will lay the budget statements before the Parliament. Only the President has the power to introduce in the legislature any proposal for spending money or raising revenues for purposes of government.

The President shall administer the territories of Ajmer, Bhopal, Coorg, Delhi, Himachal Pradesh and such other areas through Chief Commissioners or Lieutenant-Governors.

The President has also been given certain powers in emergency. He may issue a Proclamation of emergency, when the Union Parliament may legislate with respect to state subjects. He may also issue a Proclamation, and assume to himself the government of any State.

All these powers of the President shall be exercised on the advice of the Cabinet.

Vice-President. There shall also be a Vice-President of India, who shall be elected by the members of both Houses of Parliament at a joint meeting. In order to be a Vice-President, a person must possess the qualifications required for the President. The Vice-President holds office for a period of 5 years. The Vice-President will normally preside over the sessions of the Council of States (*i.e.*, the upper House of Parliament). But if the President dies, or resigns or is removed from office, the Vice-President shall then act as President until the election of a new President.

Council of Ministers. The President is assisted by a Council of Ministers. The actual number of Ministers will be decided by him. There are now 15 Ministers. The President appoints the Ministers who hold office during his pleasure. He also makes rules for the allocation of the business of the government among the Ministers. Each Minister is in charge of one or more departments, and conducts the day-to-day administration. Collectively they determine the policy of the government. The President is a constitutional ruler, and must always act on the advice of his Ministers.

Relation with the President.

The Ministers shall be members of the legislature. If any Minister is not a member of the legislature at the time of his appointment, he must become one within six months, or he will have to resign. But whether a member or not, Ministers have the right to attend the meetings of the legislature. But a Minister cannot cast his vote in a house of which he is not a member. Ministers are responsible to the legislature for their action and policies, and must resign when the legislature passes a vote of no confidence against them.

Relation with the legislature.

Departments of the Government. The business of the Government has been divided into the following departments called ministries.

(*a*) *Ministry of External Affairs and Commonwealth Relations.* The department deals with the foreign relations of our country; appoints and receives ambassadors; negotiates and concludes treaties, etc. It also deals with affairs in relation to the countries included in the Commonwealth of Nations.

(*b*) *Ministry of Home Affairs.* It is concerned with the internal affairs of the country and with the administration of law and order. It is in charge of appointment and control of members of the All-India Services, of Penal Settlements, and of the Press, etc.

(*c*) *Ministry of States.* It deals with all matters relating to the States.

(*d*) *Ministry of Defence.* Its function is to raise, maintain and control the armed forces of the country. It controls all military affairs and the conduct of war.

(*e*) *Ministry of Finance.* It is the guardian of the finances of the government, and deals with all matters affecting the revenue and expenditure of the government. It is responsible for framing the budget, and the levy of taxes.

(*f*) *Ministry of Law.* It deals with all matters relating to the drafting of Bills. It examines all proposals for legislation from the legal standpoint, and advises the government on legal affairs.

(*g*) *Ministry of Commerce.* All matters relating to the trade and commerce of the country are the concern of this department. It determines the tariff policy and negotiates trade agreements with other nations.

(*h*) *Ministry of Industry and Supplies.* It deals with all matters relating to the development of industries.

(*i*) *Ministry of Food.* It was created during the last war to handle the food crisis in the country. It is responsible for determining the food policy, and the control measures, etc.

(*j*) *Ministry of Labour.* It deals with all questions relating to labour, and is in charge of labour legislation.

(*k*) *Ministry of Railways.* It is responsible for the railway administration of the country.

(*l*) *Ministry of Communications.* It deals with the post, telegraphs, telephones, etc.

(*m*) *Ministry of Works, Mines and Power.* The development of electricity and hydro-electric projects and mines is in the charge of this ministry.

(*n*) *Ministry of Education.* It deals with matters relating to the educational policy of the country, and co-ordinates the work of the Education Departments of the State governments.

(*o*) *Ministry of Health.* Its business is to co-ordinate the policies of State governments relating to medical and veterinary services.

(*p*) *Ministry of Information and Broadcasting.* Its business is concerned with the radio, censorship of films and the conduct of propaganda on behalf of the government.

(*q*) *Ministry of Agriculture.* It deals with matters relating to the conduct of research in agriculture, etc.

(*r*) *Ministry of Relief and Rehabilitation.* It has been created after 15th August, 1947, to deal with the problem of refugees.

CHAPTER 6

THE PARLIAMENT OR THE UNION LEGISLATURE

The Parliament of India consists of the President and two houses of legislature. The upper house is known as the Council of States, and the lower house is called the House of the People.

The Council of States consists of 250 members of whom 238 members are elected by the elected members of the Legislative Assemblies of the States. The President nominates 12 persons from among people who possess special knowledge or experience in art, science, literature or social service. In order to be qualified to be a member, a person must be at least 30 years in age. The sessions of this House shall be presided over by the Vice-President of India, and the House shall also elect a Deputy Chairman who shall preside in the absence of the Vice-President. This House cannot be dissolved at any time. But one-third of its members shall retire at the end of every second year when new elections for these seats will be held.

The House of the People consists of about 500 members. These members are to be elected by voters on the basis of adult suffrage according to the system of direct election. A number of seats in this House have been reserved for the Scheduled Castes and Scheduled Tribes. This House shall sit for a period of 5 years unless sooner dissolved by the President. In order to be a member, a person must be at least 25 years in age. The members shall elect a Speaker who will preside over its meetings. They shall also elect a Deputy Speaker who shall preside in the absence of the Speaker.

Powers and Functions. The Parliament can pass any laws on Union subjects and Concurrent subjects. Ordinarily it will not be allowed to make any laws with regard to State subjects, except with the consent of two or more States. But if the President of India issues a Proclamation of Emergency that the security of India is threatened by war, the Parliament will have power to make laws with regard to State subjects.

There are, however, some formal limitations. No Bill which affects any tax in which States are interested etc., can be introduced in the Parliament without the previous sanction of the President. All Bills passed by the legislature may be vetoed by the President. He may assent to the Bill which then becomes law. Or he may veto the Bill. Or, he may send the Bill back to the legislature for reconsideration. The President may also pass an Ordinance in case of an emergency. These powers are, however, merely formal and do not seriously limit the powers of the Parliament.

Another function of Parliament is to control the finances of the Central government. All proposals for expenditure and taxation (excepting a few relating to the salaries and allowances of the President, Ministers, Judges of the Supreme Court, Debt charges, etc.) must be approved by the Parliament. These are submitted to the vote of the Parliament, which may refuse to sanction them, or reduce the amount of any one of them.

The Council of Ministers is now responsible to the Parliament and must resign when a vote of no confidence is passed against them.

Relation Between the two Houses. The House of the People is more powerful of the two chambers. Money Bills can only be introduced in the House of the People. The Upper House has practically no power over Money Bills. When a Money Bill is passed by the House of the People, it will be sent to the Council of States, and will become an Act after 14 days whether the Council of States approves of it or not.

All other Bills may be introduced in either Chamber. When a Bill is passed by one Chamber, it will be sent to the other House. If the latter approved of it, it is sent to the President for his assent. But if the other Chamber rejects the Bill or makes amendments which the first Chamber refuses to accept, or more than 6 months elapse and the other House does nothing with regard to the Bill, the President may refer the Bill to a joint sitting of the two Houses. If the Bill is passed by a majority of the total members of both Houses, it shall be deemed to have been passed by both the Houses.

The Council of States has no powers to vote upon the demand for grants of money. Only the Lower House can do that.

The Council of States has a special power not shared by the House of the People. When the Council of States passes a resolution by a two-thirds vote that it is necessary in the national interest for the Parliament to pass laws with respect to matters included in the State List, the Parliament can then pass any laws on State subjects. The lower House of the Parliament does not possess this power.

Process of Law-making

Passing of a Bill. How is a Bill passed by the Parliament? A Bill must pass through several stages before it becomes an Act. We shall discuss these stages one by one.

How is a bill introduced?

At first a Bill must be introduced in one of the Houses of the Parliament. All Bills excepting Money Bills can be introduced by any member. Money Bills can be introduced only by an official member authorised by the President. When a private member wants to introduce a Bill he must give one month's notice along with a copy of the Bill. He has then to seek leave of the House to introduce it. The motion is then put to vote and if the majority of the members support it, the mover introduces the Bill. The Bill is then published in the Gazette. In case of a Government Bill, this procedure is not necessary. The Bill is published in the Gazette, and is then introduced in the House.

First Reading.

The member-in-charge of the Bill then moves a motion that the Bill be read for the first time. After this motion is passed, the member may move any of the following motions: the Bill be read a second time; or the Bill be referred to a Select Committee; or the Bill be circulated for eliciting public opinion.

At this stage, only the general principles of the Bill are discussed. If the motion for circulation is adopted, the member may again move a motion for referring the Bill to a Select Committee after the period of circulation is over.

Select Committee Report.

If the Bill is referred to a Select Committee, consisting of some members of the House, it is examined in detail by the Committee which submits a report with its opinion. The report is then presented to the House by the member in charge of the Bill.

Second Reading.

The member then moves that the Bill be read a second time. The Bill is then put to vote, clause by clause. Any member may move amendments to any clause.

Third Reading.

If the Bill is passed by the votes of the majority, a motion is then made that the bill be read a third time. Only verbal amendments can be moved at this stage. The Bill is then presented to the President. He may give his assent to the Bill. It then becomes law.

The last stage with the President.

The President may veto the Bill, in which case it dies. He may send it back to the Parliament for reconsideration.

Passing the Budget. A special procedure is followed with regard to the passing of all financial measures. All these measures are included in what is known as the Budget.

What is a Budget.

The Budget includes an estimate of expenditure to be incurred by the various Departments of government for the coming year, and proposals for new taxation, or changes in existing taxes.

Introduction of the Budget.

This statement of expenditure and revenue is introduced by the Finance Minister in the Union Parliament on the last day of February. The Finance Minister makes a speech explaining the Budget. No other speech is made on that date.

General discussion.

A date is then fixed when a general discussion of the Budget takes place for a number of days. The members express their opinion on the different aspects of the budget, and criticise the policy of the government. No motion is allowed at this stage. The Finance Minister then replies to the debate.

Voting on demands for grants.

Then voting on the demand for grants takes place. Each demand for grant is submitted to the vote of the Assembly. A separate demand for grant is generally made for each Department. Members may move motions refusing the grant, or they may move token cuts to criticise the Budget, and criticise the policy of the government in that department. The motion is put to vote. Not more than two days can be devoted to the discussion of one demand for grant of money. All the demands must be voted within 15 days.

Money Bills.

Bills proposing new taxes or altering old taxes are also introduced at the time of the presentation of the Budget. These Bills pass through three readings in the House. The procedure is the same as in the case of other Bills.

TABLE OF SEATS

COUNCIL OF STATES

States	*Total Seats*
Assam	6
Bihar	21
Bombay	17
Madhya Pradesh	12
Madras	27
Orissa	9
Punjab	8
U. P.	31
West Bengal	14
Hyderabad	11
Jammu & Kashmir	4
Madhya Bharat	6
Mysore	6
Patiala & E. P. S. U.	3
Rajasthan	9
Saurashtra	4
Travancore-Cochin	6
Vindhya Pradesh	4
Ajmer	1
Coorg	
Bhopal	1
Bilaspur	1
Himachal Pradesh	
Cooch Behar	1
Delhi	1
Kutch	1
Manipur	1
Tripura	
	205

CHAPTER 7

DIVISION OF SUBJECTS

Since the Republic of India bears the characteristics of a federation the constitution has provided for the separation of the spheres of the Central and State governments. The subjects have been divided into three parts, *viz.*, Union, State and Concurrent. We shall enumerate them one by one.

Federal Subjects (or Union List). These embrace those subjects in respect of which only the Parliament has the power to make laws. The following are the Union subjects.

(1) Defence including Military, Naval and Armed forces; (2) External affairs; (3) Ecclesiastical affairs; (4) Currency, Coinage and Legal tender; (5) Public Debt of the Union; (6) Posts and Telegraphs, Telephones, Wireless, Broadcasting; (7) Federal Railways; (8) Shipping and Navigation; (9) Major ports; (10) Aircraft, Aerodromes and Air Navigation; (11) Arms, Explosives, and Ammunitions; (12) Banking, Insurance, Cheques, Bills of Exchange, etc.; (13) Census; (14) Incorporation and Regulation of Trading Companies; (15) Regulation of labour and safety in mines and oilfields; (16) Copyright, Trade marks; (17) Emigration and Expulsion from India, and Migration within India; (18) Survey of India; (19) Banaras and Aligarh Universities, etc.

Federal subjects administered by the Central government.

The State Subjects. These are those matters in respect of which only the State legislature has the power to make laws. These include:—

(1) Maintenance of law and order; (2) Police; (3) Prisons; (4) Administration of justice including the constitution and organisation of all courts except the Supreme Court; (5) Education including Universities; (6) Public health and Sanitation, Hospitals and Dispensaries; (7) Agriculture; (8) Irrigation and Canals; (9) Land; (10) Fisheries; (11) Forests; (12) Communi-

State subjects administered by the State Governments.

cations including roads, bridges; ferries, municipal tramways; (13) Local government including the constitution of Improvement Trusts, Municipalities, etc.; (14) Relief of the poor, unemployment; (15) Co-operative Societies; (16) Theatres and Cinemas; (17) Development of Industries; (18) Adulteration of foodstuffs, weights and measures; (19) Gas and Gas-workers; (20) Betting and Gambling; (21) Land Revenue, Court of Wards; (22) Public works of the State; (23) Libraries and Museum: (24) Money-lending and Money-lenders; (25) Intoxicating liquors and drugs, etc.

Parliament.

With regard to these matters, the Central or Union legislature has no power to make any laws under normal circumstances. But if the President declares by Proclamation that a grave emergency exists, whereby the security of India is threatened, whether by war or by internal disturbance, or if the Council of States passes a resolution by a two-thirds' vote, the Central legislature shall have power to make laws in respect of the State subjects. Secondly, the Central legislature may pass laws with regard to a State subject with the consent, and at the request, of the State legislature.

Concurrent Legislative Lists. These include matters over which both the Central and State legislatures have the power to make laws. Usually a law passed by the Parliament shall prevail over that of a State legislature. But if the State law on any of these matters has been reserved for the President, and has been assented to by him, it shall prevail over the law passed by the Parliament. These include:—

Concurrent subjects.

(1) Criminal law and Criminal Procedure; (2) Civil Procedure; (3) Evidence; (4) Marriage, Divorce, Adoption; (5) Wills; (6) Trusts and Trustees; (7) Contracts; (8) Arbitration; (9) Bankruptcy and Insolvency; (10) Newspapers, Books and Printing Presses; (11) Lunacy; (12) Poisons and dangerous drugs; (13) Factories; (14) Welfare of labour; (15) Unemployment Insurance; (16) Trade Unions; (17) Electricity, etc.

How are these powers allocated?

Residuary Powers. The act has thus made an exhaustive division of subjects. But if any new subject arises which has not been included in any of these lists, it shall be included within the powers of the Parliament.

Principles of Distribution of Subjects. In all federations, it is the usual practice to distribute the subjects of administration between the Central government and the federating units. So in India the subjects have been divided between the Union and the State governments. Subjects which are of general interest, and affect all parts equally have been entrusted to the Central government. The defence of the country is such a general subject, and so has been given to the Central government. On the other hand, there are certain subjects which are purely local in character. It is desirable that each State should be allowed to pass laws which are specially suited to its own interests. Co-operation or agriculture is such a subject. Hence these subjects have been put in the State list. There are certain other subjects which are of general interest, but where it may be desirable to have special laws to suit the needs of a particular State. While the States may be left free to pass laws which are more suited to their special requirements, it may be necessary on many occasions to pass uniform laws applicable to all parts of the country. So these subjects have been put in the Concurrent list. The Parliament may pass laws prescribing uniform rules for the whole country if that is considered desirable. But if such a course does not become necessary, the States have been left free to pass laws in regard to these subjects which they consider desirable in their interest.

CHAPTER 8

AUTONOMY OF THE STATES

The central feature of the Constitution of India is the establishment of an All-India federation. In a federation, the units or the areas which combine surrender some powers to the central government. But they retain complete autonomy in other matters. Hence a federation presupposes the existence of autonomous units, independent of the control of the federal government. As a prerequisite to the establishment of federation, it was necessary to give autonomy to the States from the control of the central government. The constitution, therefore, introduced autonomy for the States.

Meaning of Provincial autonomy.

Freedom from control of the central government.

Strictly speaking, Provincial autonomy or the autonomy of the States means that States should be granted independence from the control of the central government in all matters entrusted to their care. The state governments should have well-defined spheres of administration in which they should be supreme. The central government or legislature should have no power to interfere in their administration in any way.

Full responsibility of the Provincial government to the legislature.

History of Provincial Autonomy in India. Previously the provincial governments acted as agents of the central government and were responsible to it for their administration. But under Provincial autonomy, the central government will have no control over the provincial governments. The latter will, therefore, cease to be responsible to the former. They should, however, be responsible to somebody. So the Provincial government must be responsible to the Provincial legislature. Provincial autonomy, therefore, implies two things, *viz.*, independence from the control of the central government in spheres left to the Provinces; and all subjects should be left to the control of the ministers who should be responsible to the legislature.

The necessity for introducing Provincial autonomy had been felt a long ago. It was first proposed by Lord Hardinge, the Viceroy of India in 1911, who wrote a despatch to the Secretary of State. The Indian leaders also wanted such autonomy for the Provinces. The Reforms Act of 1919 introduced it in parts. Only a few subjects were transferred to the control of ministers. It was introduced in eleven provinces in April, 1937.

How far was autonomy introduced in the Provinces?

The Act of 1935 provided for the introduction of Provincial autonomy. The provinces were given sole power to legislate on and administer the Provincial subjects. The Provincial legislature and executive were free from the control of the central government in the administration of these subjects. It was clearly laid down that the authority of the federation did not extend to these subjects. The Provincial executive consisted of the Governor and a Council of Ministers. All Departments were transferred to the control of the ministers, chosen from among the members of legislature, and responsible to it for their actions.

The Provinces were not free from the control of the Governor-General.

But the Act did not introduce complete Provincial autonomy. The Provincial executive or legislature was, of course, freed from the control of the Governor-General-in-Council. But they were not free from the control of the Governor-General. He was given considerable authority to interfere in the work of a Provincial legislature or executive. He might proclaim an emergency. During such an emergency, the Federal legislature could encroach on the jurisdiction of the Provinces. The Governor-General could have also interfered with the authority of a Provincial legislature by withholding his previous consent in certain cases. Under the Act, the previous sanction of the Governor-General was necessary before bills on certain subjects could be introduced in a Provincial legislature. Under Sec. 126, the Governor-General could have interfered with the work of Provincial ministers in order to safeguard the peace or tranquillity of India. Lastly, the Governors were completely subordinate to the Governor-General in the exercise of their special powers.

Secondly, the Act did not introduce complete responsible

Full responsible government was not introduced in the Provinces.

government in the Provinces. There were certain matters which have been withheld from the control of the ministers. These matters were administered by the Governor in his discretion, subject to the directions of the Governor-General. Thus *all* subjects had not been transferred to ministers. As to subjects transferred to the control of the ministers, the Governor had large powers of interference. He might override the decisions of his ministers, and act according to his own ideas. The ministers had not, therefore, been granted full powers over the administration, subject to the control of the legislature. Thus full Provincial autonomy was not introduced in either of its two aspects.

The amendments made in the Government of India Act of 1935 after 1947 extended the sphere of provincial autonomy. The special powers of the Governor were abolished. The Governors were no longer under the control of the Governor-General. The latter was not required to give his previous consent to Provincial Bills.

The present position.

It is not possible to say that the sphere of the autonomy of States has been increased under the new Constitution. The States have now well-defined spheres of administration. They can levy their own taxes and spend their revenues as they like. But the central government may interfere in their administration to a large extent than before. The Governor of a State is to be appointed by the President (*i.e.,* by the central government). But this may cause no difficulty as the Governor is to act as a constitutional ruler on the advice of his Ministers. The President may proclaim an Emergency, when the Parliament will have the power to pass laws on subjects included in State Lists. Or if the Council of States passes a resolution by a two-thirds' vote, that it is necessary in the national interest that the Parliament shall make laws on any matter or matters included in the State Lists, the Parliament may then encroach upon the sphere of the States. Moreover, the President may suspend a State government and legislature on receipt of a report from the Governor that the government cannot be carried out in accordance with the constitution.

Relation between the States and the Central Government. Previous to the passing of the Government of India Act of 1935, the Provincial governments were subordinate to the central government. They were, of course, entrusted with some departments. But they were responsible to the central government, and through it to the Secretary of State for the due discharge of their functions. But under the present constitution the States are no longer the agent of the central government. They derive their authority from the Constitution. They have been granted more or less complete autonomy in the administration of State subjects. The only obligation placed on their authority is that the executive of a State must be carried on in such a way as not to impede the executive authority of the Union, or of the central government and it must secure due respect for Indian laws applying to that State. Conversely, the executive authority of the centre does not normally extend to the State subjects. Normally, therefore, these two authorities should respect each other's sphere of administration. Except when the President proclaims an Emergency, the central government cannot encroach upon the field reserved for States. The central legislature may confer powers upon a State government for the administration of Union Subjects. In that case, it shall pay the requisite expenses to the latter. It may also issue directions to a State government for the proper carrying out of laws relating to Union and Concurrent Subjects in the States. Similarly, two or more States may request the Parliament to pass laws on any State subject where it is desired to pass identical legislation. The Central legislature may then pass laws as requested. A State legislature cannot, however, pass any law on Union Subjects under any circumstances.

The central government may entrust some functions to the States to be performed as its agent.

We have seen that the Central government shall not normally interfere in the administration of the State subjects. There is one exception. It can give directions to a state as to the manner in which means of communication of military or national importance are to be constructed and maintained.

When the central executive can interfere in State administration.

There are several provisions in the constitution under which the Central Government and legislature may interfere in the spheres of the States. If the Council of States passes a resolution by a two-thirds' vote that it is in the national interest that the Parliament shall make laws on a subject or subjects included in the State list, the Parliament may then encroach on the sphere of the State legislature. Secondly, if the President issues a Proclamation of Emergency, the Parliament and the Central Government may encroach upon the spheres of States. Lastly, if the Governor of a State sends a report to the President to the effect that the government of the State cannot be carried on in accordance with the constitution, the President may issue a Proclamation, and suspend the State government and legislature and assume to himself all legislative and administrative powers in the State, excepting the functions entrusted to the High Court.

CHAPTER 9

THE STATE EXECUTIVE

The State executive consists of the Governor and a Council of Ministers. The executive authority extends over all matters in respect of which the State legislature has the power to make laws, *i.e.,* in respect of the State and Concurrent subjects.

The Governor. The Governor of a State is appointed by the President. He holds office for 5 years. He is not subject to the jurisdiction of Indian courts. He can grant pardon and suspend or remit sentences in certain cases.

Powers and Functions. The Governor is the chief executive in the State and all executive action is carried on in his name. At present, he acts as a constitutional ruler in relation to his Ministers.

Executive Powers.

The Governor appoints a Council of Ministers from among the members of the legislature. He first appoints the leader of the majority party in the legislature as Prime Minister, and appoints other Ministers on his advice. The actual number of Ministers is not fixed, and will be decided by him. Ministers hold office during his pleasure. But they are responsible to the legislature.

He also appoints the Advocate-General of the State and the members of the Public Service Commission of the State.

Legislative Powers.

In the legislative sphere, the Governor has the power to summon, or prorogue the legislature, or dissolve the Legislative Assembly. He may address the Legislature, or send messages to it. No Bill shall become an Act unless he assents to it. He may, however, veto a Bill, or send it back to the legislature for reconsideration, or reserve it for the President. He can pass an ordinance when the legislature is not in session. This ordinance shall cease to operate at the end of six weeks from the date on which the legislature meets.

With regard to finance, he shall lay before the legislature a statement showing the estimated receipts and expenditure of the State in the coming year. No demand for a grant, and no money bill can be introduced in the legislature except on his recommendation.

Financial Powers.

All these powers are to be exercised on the advice of Ministers. The Governor must act as a constitutional ruler. His position has been happily compared to that of a diety installed in a Hindu temple. The diety does nothing on his own initiative. But it is his presence that guides all activities in the temple.

Council of Ministers. Every Governor must have a Council of Ministers to aid and advise him in the conduct of the administration. The ministers are appointed by the Governor from among the members of the legislature. The number of ministers has not been fixed by the Act. The actual number is to be decided by the Governor. In Bihar, Orissa and Madhya Pradesh, there shall be a Minister in charge of Tribal Welfare, who may also be placed in charge of the Welfare of scheduled castes. They hold office during the pleasure of the Governor. The Governor calls upon the leader of the party or parties which command a majority of votes in the legislature to form a ministry, and appoints other ministers in consultation with him. The leader is to be known as the Chief or Prime Minister. The other ministers are the nominee of the Chief Minister. They resign when the latter submits his resignation. The salaries and allowances of the ministers shall be determined by the acts of the legislature, and shall not be varied during the tenure of a ministry.

Appointment and tenure of the ministers.

The administration of State subjects has been transferred to the control of ministers. Each minister is in charge of one or more departments, and shall tender advice to the Governor on all matters relating to his Department or Departments. These matters will be dealt with primarily by the ministers. They will decide the policy to be carried out, the schemes that should be adopted,

Relation with the Governor.

and the bills that should be moved in the legislature. The Governor is bound to issue orders (all orders are to be issued in the name of the Governor) according to the advice of the ministers.

Relation with the legislature.

Ministers are members of the legislature. If any minister is not a member of the legislature at the time of his appointment, he must become one within six months. Otherwise he will have to resign his office. Ministers have the right to attend the sessions of both chambers and to take part in their proceedings. But they can cast their votes only in that chamber of which they are members. They are collectively responsible to the legislature. They answer all questions relating to administration, explain their policies and defend their actions in the legislature. They introduce all government bills, and pilot them through the legislature. They submit the annual financial statement (*i.e.*, the budget) to the legislature, and take steps to get its approval. They hold office so long as they possess the confidence of the legislature, and resign when the majority of members pass a vote of no confidence against them.

CHAPTER 10

THE STATE LEGISLATURE

The State legislature consists of the Governor and one or two Houses of legislature. There are two Chambers in Bihar, the U. P., Madras, Punjab, West Bengal and Bombay. The Upper House is known as the Legislative Council and the Lower House is called the Legislative Assembly. In all other States, there is only one House,—the Legislative Assembly.

Composition of the Legislative Council.

The Legislative Council shall consist of about one-fourth of the members of the Lower House. But the total number shall not be less than 40. One-third of the members is elected by the members of the Lower House, and another one-third is elected by the members of the various local bodies like municipalities, etc. Graduates of at least three years' standing will elect one-twelfth, and teachers of colleges and of secondary schools of at least three years' standing will elect another one-twelfth of the members. A small number of members is nominated by the Governor. The Council cannot be dissolved by the Governor. It is a permanent body. But one-third of its members shall retire after every second year when new elections for these seats only shall be held. Each member sits for 6 years. The Council elects its own chairman and Deputy Chairman from among the members.

Composition of the Legislative Assembly.

The Legislative Assembly also varies in size in different States, from 500 to at least 60 members. All members are elected on the basis of adult suffrage. This Assembly sits for five years, unless sooner dissolved by the Governor. The House elects its own Speaker and Deputy Speaker to preside over its meetings.

Ministers may attend the sessions of both chambers. But they cannot vote in the House of which they are not members. The Advocate-General of the State may also attend both chambers. But he has no right to vote. The State legislature must meet at least twice a year.

Powers. The functions of the legislature relate to the passing of laws with regard to State subjects. It can also pass laws with regard to Concurrent subjects. But the laws passed by it on Concurrent subjects shall not prevail over the Union or Indian laws on the subject. But if the bill has been reserved for the President, and assented to by him, this law shall prevail over the Union or Indian laws on the subject. Bills on all subjects must pass through, and be approved by both Houses of legislature (where there are two Houses). If the Upper House refuses to pass a bill already approved by the Legislative Assembly within three months, the Lower House may pass the bill a second time. If the Upper House still refuses to pass it within one month the bill will be taken to have been approved by the Upper House.

Powers and functions.

(*a*) Law-making powers.

If a bill is passed by both Houses, it will be presented to the Governor for his signature. No bill can become an Act without the assent of the Governor. The Governor may give his assent, and sign the bill. He may send it back to the legislature for reconsideration. Or, he may reserve it for the President. Or, he may veto it and thus kill it finally.

Another function of the State legislature is to control the finances of the State. The Governor has to submit an annual statement of the estimates of expenditure (*i.e.*, the budget) to the legislature for its approval. But the estimates of expenditure charged on the revenues of the State are not submitted to the vote of the legislature. The estimates of other expenditure will be submitted to the vote of the legislative Assembly for its approval in the form of demands for grants. The latter may approve of them, or may reject them altogether, or may reduce the amount of any grant.

(*b*) Controlling the finances.

Limits to finanfiial powers.

It should be noted that only the Lower House has the power to vote upon the demand for grants. The Upper House may discuss them, but cannot vote upon them. Money Bills, *i.e.*, Bills imposing taxes, etc., must be first introduced in the Lower House. But they must also be passed by the Upper House.

The last function of the legislature is concerned with the action of the ministers. The Council of ministers is responsible to the legislature, and must resign when a vote of no-confidence is passed against them. The members put questions to the ministers for information, and otherwise keep watch over them. They move resolutions to suggest a measure, and adjournment motions to criticise the conduct of the ministers on any important matter.

(c) Controlling the ministers.

Relation between two Houses. Six States possess two Houses of legislature. What is the relation between these two chambers?

Both possess nearly co-equal powers.

The Lower House possesses more powers than the Upper Chamber. Money Bills can only be introduced in the Legislative Assembly. After a money bill is passed by the Legislative Assembly, it will be sent to the Upper House and will become an act at the end of 14 days, whether the Upper House approves of it or not. The Upper House has no power to vote upon the demands for grants of money. Only the Lower House can sanction the estimates of expenditure of the Government.

Money Bills.

With regard to other Bills, these may be introduced in either chamber. If a Bill is approved by the Legislative Council, it is to be sent to the Lower House. If the Lower House rejects the Bill, it is killed finally. If, however, the bill has been first introduced in the Lower House and approved by it, the bill will be sent to the Upper Chamber. If the Upper Chamber rejects the bill, or does not pass it within 3 months, or makes some amendments to the bill, which the Lower House does not accept, the Legislative Assembly may pass the bill a second time, and send it to the Upper House. If the Upper House does not pass it within one month, it will be deemed to have been approved by both the Houses, and presented to the Governor for his assent.

Other Bills.

The Passing of a Bill. The main function of the legislature is to make laws. How are laws passed by the legislature?

Stage of introduction.

The first step is the preparation of a Bill. If any member considers that a particular law or an amendment of an existing law should be passed, he prepares the draft of a bill. The next step is the introduction of the bill in the legislature. If it is a government bill, *i.e.*, a Bill prepared by the government, it is simply published in the official *Gazette*. If the bill is drafted by a private member, he will have to give one month's notice of his intention to introduce a bill. He will then have to ask leave of the House to introduce the bill. If the majority supports his motion, the bill is introduced. All bills except money bills can be introduced in any chamber. Money Bills can be introduced only in the Lower House.

First Reading.

Then comes the stage of first reading. The member-in-charge of the bill moves that the bill be read a first time. If the motion is accepted, the member may then move any of three motions, *viz.*, that the bill be read a second time; that the bill be referred to a Select Committee consisting of some members; that the bill be circulated for eliciting public opinion. If the first motion is moved and approved the bill is then discussed clause by clause by the House. This step is taken only with regard to measures considered urgent. Usually the second or the third motion is moved. If the second motion is accepted, the bill goes to the Select Committee which examine the bill thoroughly, clause by clause, and issue a report.

Select Committee stage.

Second Reading.

The member-in-charge of the bill then presents the report of the Select Committee to the House, and moves that the bill be read a second time. The principles of the bill are thoroughly discussed by the House at this stage. Members are free to move any amendment. The bill and the amendments are voted upon clause by clause.

The third motion only adds a step to the passage of the bill. After the bill is circulated for eliciting public opinion, the member again moves that it be referred to a Select Committee.

The last stage is the third reading. The member moves that the bill be read a third time. Only verbal amendments can be moved at this stage. If the motion is accepted, the bill is sent to the other House where there is one. There it goes through the same stages, and when finally passed by the latter in the same form it goes to the Governor for his signature. The Governor may give his assent to the bill in which case it becomes an Act. He may veto it, or may send it back for reconsideration or may reserve it for the President. In the last case, the bill does not become an Act unless the President gives his assent.

Third Reading.

Presentation before Governor.

The Passing of the Budget. A special procedure is followed in the passing of the budget. A budget is a statement of the estimates of expenditure which the government proposes to incur for each Department in the coming year. It is presented to the legislature on a date fixed by the Governor. On that date the Finance Member delivers a speech explaining the special provisions of the budget. No other discussion takes place on this date. A copy of the budget is sent to each member.

Budget speech.

The next stage is that of general discussion. On the date fixed after a few days, a general discussion of the budget takes place in the legislature. Members express their opinions on the budget, criticise the policy of the government, and point out their grievances. No motion is moved at this stage. The Finance Member makes a speech, last of all, answering critics, and defending his budget.

General discussion.

Next comes the stage of voting. The expenditure to be incurred in each Department is moved in the form of demand for grants for the approval of the Legislative Assembly. Other members move motions refusing the grant, or reducing it. They may move "token cuts" of (say) Re. 1 to Rs. 100 to criticise the policy of the government in that Department. If these motions are adopted, the legislature will be taken to have censured the ministry. And according to convention, ministers should resign. Not more than two days can be devoted to the discussion of one

Voting on the demand for grants.

demand for grant. And all demands for grants must be voted within fifteen days.

Demands for grant of money are submitted to the vote of only the Legislative Assembly. The Upper House, where there is one, has no power to vote upon the demand for grants. All demands for grant are not submitted to the vote of the Assembly. Estimates of expenditure which are charged upon the revenues of the State are not submitted to its vote.

Money Bills.

Bills imposing new taxes, or altering the rates of old taxes are introduced in the Legislative Assembly along with the budget. These pass through three readings in the Lower House, and are then presented before the Governor after the lapse of 14 days.

Privileges of the Members. Each member enjoys certain privileges. He enjoys the right to speak freely in the legislature on the motion before the House. He cannot be prosecuted in courts for anything spoken in the House. He also enjoys the privilege of publication of papers by orders of the Houses.

Members also enjoy the privilege of freedom from arrest while on the duty in the chamber, or during its sessions,—a privilege enjoyed by the members of the British Parliament. The State legislature may confer other privileges on the members by passing an Act, subject, of course, to the provisions of the constitution. The members are paid salaries fixed by Acts of the State legislatures.

APPENDIX

Composition of the Legislature in Different States

The composition of the state legislature under the new Constitution has now been fixed. We are stating the composition of the legislatures in different States.

West Bengal. The State legislature of West Bengal consists of two houses. The upper House, the Legislative Council, consists of 51 members, of whom 17 members are elected by the members of the lower House according to the system of single transferable vote; 17 members are elected by the members of the various local bodies like the district boards, municipalities etc.; 4 members are elected by the graduates of at least 3 years' standing; 4 are elected by teachers' constituencies and 9 members are nominated by the Governor from among persons distinguished in arts, science, literature, co-operation, social service etc. The Council elects its own Chairman and Deputy Chairman. This house is a permanent body not subject to dissolution.

The lower House, known as the Legislative Assembly, consists of 238 members, all of whom are elected by voters on the basis of adult suffrage. A few seats have been reserved for the Scheduled Castes in the general constituencies. The house elects its own Speaker and Deputy Speaker, and sits for five years unless sooner dissolved by the Governor.

Assam: The State Legislature consists of one house, the Legislative Assembly. It consists of 108 members, all of whom are elected. A number of seats are reserved for the autonomous districts of the State on the basis of the population ratio of these districts. This house also sits for five years unless sooner dissolved by the Governor.

Bihar: The State legislature consists of two houses. The upper house, the Legislative Council, consists of 72 seats; 24 members are elected by the members of the lower house, 24 are elected by the members of the various local bodies; and six members each are elected by graduates' constituencies and teachers' constituencies respectively. The Governor nominates 12 members.

The Legislative Assembly consists of 330 members, all of whom are elected by voters on the basis of adult franchise. A number of seats are reserved for the Scheduled Castes.

Orissa: The State legislature consists of one house only. The Legislative Assembly consists of 190 members, all of whom are elected from general consituencies. But a number of seats are reserved for the Scheduled Castes.

Madhya Pradesh: The State legislature consists of only one house, the Legislative Assembly. The total number of members is 232, all of whom are elected from general constituencies on the basis of adult suffrage. A number of seats are, however, reserved for the Scheduled Castes.

Madras: The State Legislature is bicameral. The Upper house, the Legislative Council, consists of 72 members, of whom the members of the Lower house and those of the local bodies elect 24 members each ; the teachers and graduates elect 6 members each ; and the Governor nominates 12 members.

The Legislative Assembly consists of 375 members, all of whom are elected by voters in general constituencies. A number of seats have been reserved for the Scheduled Castes.

Bombay: The State legislature consists of two houses. The Upper House, the Legislative Council, is to be composed of 72 members, elected as in Madras.

The Legislative Assembly consists of 315 members elected from general constituencies by all the adult voters. A number of seats have been reserved for the Scheduled Castes.

Punjab: The State legislature is bicameral. The Legislative Council consists of 40 members of whom 13 are elected by the members of the lower house, 13 by the members of the local bodies ; 3 members each elected by the graduates and teachers and 8 members are nominated by the Governor.

The Legislative Assembly consists of 126 members elected by voters on the basis of adult suffrage. A number of seats are reserved for the Scheduled Castes.

Uttar Pradesh: The State legislature is bicameral. The Legislative Council consists of 72 members elected as in Madras.

The Legislative Assembly consists of 430 members, all of whom are elected from general constituencies by adult voters. A number of seats have, however, been reserved for the Scheduled castes.

CHAPTER 11

MISCELLANEOUS

Fundamental Rights. Democratic constitutions usually guarantee some important rights to the citizens. The Indian constitution also contains an important section, embodying certain fundamental rights for citizens. In a democracy, citizens have many rights. Some are so important that they are usually guaranteed by the constitution. These rights are called 'fundamental rights'. Their main purpose is to safeguard the liberty of the people.

The Indian constitution guarantees the right to equality, the right to freedom of movement, right to freedom of religion, right against exploitation, right to property and cultural and educational rights. All citizens will enjoy equal treatment before the eye of law, and there shall be no discrimination against any citizen on the ground of religion, race, caste, sex or place of birth. Untouchability is abolished. Under the right to freedom, all citizens have the right to freedom of speech, freedom to form associations, or to assemble peacefully, to move freely throughout the country, to reside in any part of India, etc., subject to the interests of public order. No person can be arrested except according to the provisions of law.

No child below the age of 14 can be employed to work in any factory and there can be no forced labour.

All persons are equally entitled to profess, or practise any religion, and to establish and maintain religious and charitable institutions. All minorities shall have the right to establish and maintain educational institutions of their choice, and they shall have the right to conserve their distinctive language, script or culture. No person can be deprived of his property save by the authority of law.

Lastly, all citizens will have the right to move the Supreme Court for establishing their rights. But if the President issues a Proclamation of Emergency he may, during the emergency, suspend the rights to freedom of speech, of association etc., and also suspend the right to move the Supreme Court for the establishment of rights.

The constitution does not, however, guarantee the right to work or the right to free education, etc.

Directive Principles of State Policy. The Indian constitution contains a novel feature in that it seeks to lay down some important principles to be followed by the legislature and the Government. These are called 'directive principles of state policy.' According to the section, the state shall strive to promote the welfare of the people by all means at its disposal. It shall take steps to secure the right to work, to education, old age, sickness and disablement relief and unemployment relief to all citizens. It shall seek to ensure living wage for all workers, humane conditions of work and provide maternity relief. It shall also seek to provide for free and compulsory education for all children upto the age of 14 within 1960. It shall direct its policy to ensure equal pay for equal work for both men and women, to raise the standard of living of all classes of people. It shall promote with special care the educational and economic interests of scheduled castes and tribes. It shall try to promote international peace and security and encourage settlement of international disputes by means of arbitration.

These principles are merely for the guidance of the legislatures and governments. They cannot be enforced in the courts, and there is no remedy if any government does not carry out any of these principles.

Process of Amendment of the Constitution. The procedure for amending the constitution has been deliberately kept simple. A proposal for amending the constitution is to be introduced in the form of a bill in either House of Parliament. If the proposal is passed by both the Houses by a majority of the total members of the Houses, and by at least two-thirds of those present and voting, it shall be presented before the President, for his assent. After the assent of the President, the constitution will stand amended. If the proposed amendment affects the procedure for the election of the President, or the executive powers of the Union or of the States, or the list of subjects, or the representation of States in Parliament, it must be approved by the legislatures of not less than one-half of the States.

Principal Parties. Representative parties are of recent growth in India. There had scarcely been time to develop strong parties on definite principles. Until recently, the whole effort of the people was directed towards the task of winning the freedom of the country. For this purpose, an organisation was evolved through the spontaneous efforts of the people. This organisation is the *Indian National Congress.*

The Congress is the most well-organised party in India. At the present moment, this party has formed the ministry at the centre as well as in all the states of the Indian Union. The vast majority of members of the Parliament belong to this Party.

The aim of the Congress is the establishment of a Democratic Socialist Republic in India,—the Kisan-majdur raj as it is popularly called. It pursues a mixture of socialist doctrines and Gandhian philosophy. Though the ultimate aim is the establishment of a socialistic state, it is at present advocating a sort of mixed economy, where both state-ownership and management will exist side by side with private capitalism. The Congress supports universal adult suffrage, the incorporation of a Bill of Rights in the constitution, adequate safeguards for the minorities, the abolition of untouchability, etc. It has also a constructive programme for the spread of the khadi movement, encouragement of other cottage industries, improvement of the condition of the Harijans, and decentralisation of industries, etc.

Socialist Party of India.

The *Socialist Party of India* was originally organised as a wing of the Indian National Congress, and consisted of all Congress members who believed in a socialist state for India. It has recently broken away from the Congress, and has begun to organise as a separate party. Its aim is the establishment of a Socialist Republic, and for this purpose, it advocates the nationalisation of the important means of production, and other socialistic measures. This party has recently been united with the K.M.P.P. in the name of the Socialist Praja Party.

Hindu Mahasabha.

The *Hindu Mahasabha* rose as a party as a protest against the Muslim League. The Party was confined to Hindus, and like the League, aimed at protecting the interests and rights of the Hindus. The Party has, however, failed to win the allegiance of the voters in the 1952 election.

Communist Party.

The *Communist Party of India* was formed with the aim of establishing a communist state in India. During the second great war, it began by opposing the war, but switched over to the support of the British government when Russia was attacked by Hitler. From that time it gave continuous support to the steps taken by the Government of India for the prosecution of the war. It supported the Muslim League's demand for the establishment of Pakistan, and preached Hindu-Muslim unity for achieving the independence of India. It wants the elimination of the capitalist classes, and will bring all means of production under state ownership. Its Mecca is Moscow.

Two other parties were formed on the eve of the first general election of 1952. The *Krishak-Praja Majdur Party* (K.M.P.P.) has been organised by Acharya Kripalini who seceded from the Congress with a large number of followers. The majority of the members of this party are Congressmen, who have become dissatisfied with the recent trend of the policy of the Congress. The second party, the *Jana Sangha,* has been organised by Dr. S. P. Mukherjee, who resigned from the Nehru cabinet on account of his disagreement with Sri Nehru's Pakistan policy. This party wants more generous treatment of the refugees and the ultimate unification of India and Pakistan.

There are also other Parties. The Forward Bloc was an arm of the Indian National Congress founded by Netaji Subhas Chandra Bose. The Socialist Republican Party has been formed by the late Sj. Sarat Ch. Bose for the purpose of carrying out Netaji's programme. There are also many other leftist groups like the Revolutionary Socialist Party, the Bolshevik Leninist Party, etc.

CHAPTER 12

THE SO-CALLED NATIVE STATES

During the British period, India was divided into British Indian Provinces, and the Native States. The latter comprised nearly 44 per cent of the total area of India with a population of 93,189,233; *i.e.*, a little under 24 per cent of the total population of India. There were about 562 States with an estimated total revenue of about Rs. 45 crores for all States. The States were distributed all over India. In the extreme north stood Kashmir, with an area of over 82 thousand square miles (*i.e.*, larger than that of undivided Bengal). At the extreme south lay the State of Travancore with a population equal to that of the Mymensingh district. The State of Hyderabad occupied a middle position between the North and the South. These States represented the history of India in different stages. The Rulers of the Cooch Behar State in Bengal represented an unbroken line of sovereigns, dating back to the time of the battle of Kurukshetra. The Rajput States were under the ancient dynasties of Udaipur, Jaipur, Jodhpur, household names with all students of history. The Bhonsle of Kolhapur was the descendant of Shivaji, while the States of Baroda, Gwalior and Indore represented the remnants of the Maratha rule over India. The Nizam of Hyderabad represented the Mughal tradition. The British made their first Indian treaty with the Ruler of Tranvancore.

The States varied considerably in size, powers and population. The largest State was Hyderabad, with an area of 82,313 sq. miles, larger in area than undivided Bengal, with a revenue of nearly Rs. 8 crores. On the other hand, there was the State of Wadi in Kathiawar with an area of 12 sq. miles and a population of 2,000 souls. The bigger States like Hyderabad, Kashmir, Mysore, Baroda, Travancore, Cochin, Gwalior, etc. possessed a progressive administration. There were legislative councils, composed of elected and nominated members. Hyderabad, Mysore, and Travancore possessed a University. The percentage of literacy in Travancore and Cochin was the highest in India, and the percentage of literacy among women (*i.e.*, 34 p.c.) was four times higher than in any province of India. Many of them managed their own affairs; maintained post offices; owned railways; issued currency and possessed small armies.

Status during the British Period. These States occupied a peculiar status in India. Legally, their citizens were not British subjects. These people were, however, regarded as British protected persons outside the British territory. The British Indian Courts did not possess any jurisdiction over these states, and the Indian laws did not apply to them.

Political status of the Native States.

But though legally they were foreign territory, they were not regarded as states in the proper sense of the term. They did not possess sovereignty, the all-important mark of a state. They were bound by indissoluble treaties and alliances with the British Crown. These treaties restricted their powers considerably. The British Crown was the Suzerain, and all Rulers had to render homage and loyalty to His Majesty. The Crown was the Paramount Power, and exercised a large amount of undefined powers which were known as the Paramountcy. It was necessary to form a clear idea of *Paramountcy.* It consisted of those rights of the Crown which limited the sovereignty of the Rulers. The Crown possessed the following rights in relation to the Native States. It had, first the right to determine the successor when a Ruler died without any heir; secondly, to sanction the adoption of an heir by a Ruler; thirdly, the right to decide disputes between the states; fourthly, the right to issue passports to state subjects; settle questions of title, honour or salute to be awarded to a Ruler; fifth, right to ask the Rulers to surrender criminals or to allow the passage of canals or railway lines through the state territories; sixth, the right to intervene in the internal administration of a state in cases of gross mismanagement, etc. If necessary, the Crown could remove a Ruler, or expel him from the state for a number of years. As against these rights, the Crown owed the following obligations to the States.

Paramountcy.

Rights and obligations of the Crown.

It was the duty of the Crown, first to guarantee the maintenance of the territorial integrity of each State; secondly, to protect it from outside aggression and internal disorders; thirdly, to maintain the dynasty and to protect the rights, privileges and *izzat* of the Rulers; and last, to honour the right of the maritime states to levy customs. There was usually a Resident or an Agent in each State, or a group of States. He was the representative of the Paramount Power, and kept watch over the interests of the Crown under the orders of the Crown Representative (*i.e.,* the Governor-General). The bigger States enjoyed full or practically full powers of legislation and executive government, subject only to general supervision by the Crown which usually remained in the background. Supervision was more strict in the smaller States.

Chamber of Princes. These States possessed an organisation to look after their common interests. It was known as the Chamber of Princes, and was constituted in 1921. The Rulers of 135 States were members of the Chamber in their right, and the Chiefs of 108 states elected representatives from among them to the Chamber. The Governor-General was the President of the Chamber. There was a Standing Committee consisting of 35 Princes, and another consisting of ministers. The latter was entrusted with the technical work of the Chamber. The chamber was a mere advisory body which was concerned with deliberating upon the common interests of the Rulers of States.

Organisation of the Chamber of Princes.

Developments Since 1947. The position of the States underwent fundamental changes since the passing of the Indian Independence Act of 1947. Under that Act, British authority over India ceased entirely as from 15th August, 1947. As a result, the paramountcy possessed by the King of England over the Indian States lapsed as from that date. All treaties, agreements and *sanads* between the Rulers and the British Crown, all obligations of the Crown towards the states also lapsed. Formally the rulers gained their independence. But as many financial and economic relations, such as posts and telegraphs, customs and communications existed between the states and the Dominion governments, it was thought that a sudden ending of these relations would prove disastrous to all parties. So it was decided to continue existing arrangements with regard to these matters, and standstill arrangements were made in this respect. It was, however, expected that all states would, in due course, accede to one of the two Dominions. At present, all states have formally acceded either to India or to Pakistan. On accession, each State became entitled to send representatives to sit in the Constituent Assembly, in the proportion of one representative for one million population. In this way, the representatives of the States took part in the framing of the new constitution.

A most important development was the merger of the smaller states with the neighbouring Provinces, and the formation of unions of states into bigger units. A number of such unions, like Saurashtra, Rajasthan have been formed, and a large number of small states have been merged with neighbouring provinces.

Thus of the 562 States, only a few like Hyderabad, Kashmir and Mysore remain in their original territories. Travancore had been joined with Cochin to form a single State. Many States have been grouped into bigger units like Saurashtra, Vindhya Pradesh, Madhya Bharat, Rajasthan. Patiala and East Punjab States Union. Bhopal, Manipur, Tripura and Himachal Pradesh have become centrally administered areas. Each of these bigger States has a Rajpramukh who exercised the functions of a Governor in relation to the State. At present with the exception of Kashmir, their government is regulated on the basis of the provisions of the Constitution Act of 1950. The nine states, Hyderabad, Jammu and Kashmir, Madhya Bharat, Mysore, Patiala and East Punjab States Union, Rajasthan, Saurashtra, Travancore-Cochin and Vindhya Pradesh, are known as *Part B States.* Manipur, Tripura etc. are known as *Part C States.*

The Part B State is governed by a Rajpramukh appointed by the President in accordance with the conditions of formation of those States. The Rajpramukh will act like a Governor in relation to these states. There shall also be a legislature in each State, consisting of one House, except in Mysore, where there are two Houses. In all other respects, they will be governed in the same way as the States. But during the first ten years, each of these states shall remain under the general control of the President of India.

Part C States are to be administered by the President, who may appoint Chief Commissioners, or Lieutenant-Governor for each State.

CHAPTER 13

THE JUDICIARY

The Indian judicial system has been evolved on the lines of the British system. There are two sets of courts,—one set dealing with only civil cases, and the other with criminal cases.

Civil Courts. For the trial of civil cases, the lowest court is the Union Court, where members of some Union Boards sit and try cases of petty nature. In the towns, the lowest court is that of the munsiffs. In the Presidency towns, it is the Court of Small Causes. The Munsiff's courts are situated in every sub-division and in chowkies, or large villages. Appeals against their decision lie either to the Courts of the Subordinate Judges, or to the District Judges. The courts of subordinate judges also possess original jurisdiction to try civil cases, when the amount involved in a suit is large. The District Judges exercise jurisdiction over the whole district. They hear appeals from the courts of munsiffs and have also original jurisdiction. They supervise the jurisdiction of lower courts in the district.

High Courts.

Appeals from the Courts of District Judges, or subordinate judges lie to the High Court. It is established at the State headquarters. It is the highest court of appeal in the State. It consists of a Chief Justice, and a number of judges appointed by the President. Some of the High Courts, (*e.g.*, that at Calcutta) possess original jurisdiction, and try civil cases arising in the Presidency towns, when the amount involved is large.

Supreme Court.

If the cases involve the interpretation of the Constitution of India Act of 1950, or if the sum involved in the case is Rs. 20,000 or more, appeal may be made to the Supreme Court of India.

Criminal Courts. The lowest criminal court in villages is the Union Bench which tries petty cases. In the towns, there are magistrates to try these cases. All these magistrates possess 1st class, 2nd class and 3rd class powers. In Presidency towns, these cases are tried by Presidency Magistrates. All magistrates are appointed by the government. Appeals from the decisions of these magistrates are heard by the District and Sessions Judges in the mofussil. Criminal cases involving murder and other serious offences are first heard by a magistrate possessing first class power, who commit the accused for trial before the sessions. The District and sessions Judge presides over these sessions in the district, and try these cases with the help of jury or assessors. In presidency towns, these cases are tried before the Courts of Presidency Magistrates. Appeals from District judges and from the judgments of the Presidency Courts lie to the High Courts. In certain cases, an appeal may be made to the Supreme Court.

High Court.

High Courts. There are High Courts at Calcutta, Bombay, Madras, Patna, Allahabad, Cuttack, Gauhati and Nagpur and in the Punjab. A High Court consists of a Chief Justice and a number of judges. They are appointed by the President and hold office till the age of sixty. The High Courts are the highest court of appeal in a State. They supervise the work of all subordinate courts in the State. The High Courts of West Bengal, Bombay and Madras possess original jurisdiction.

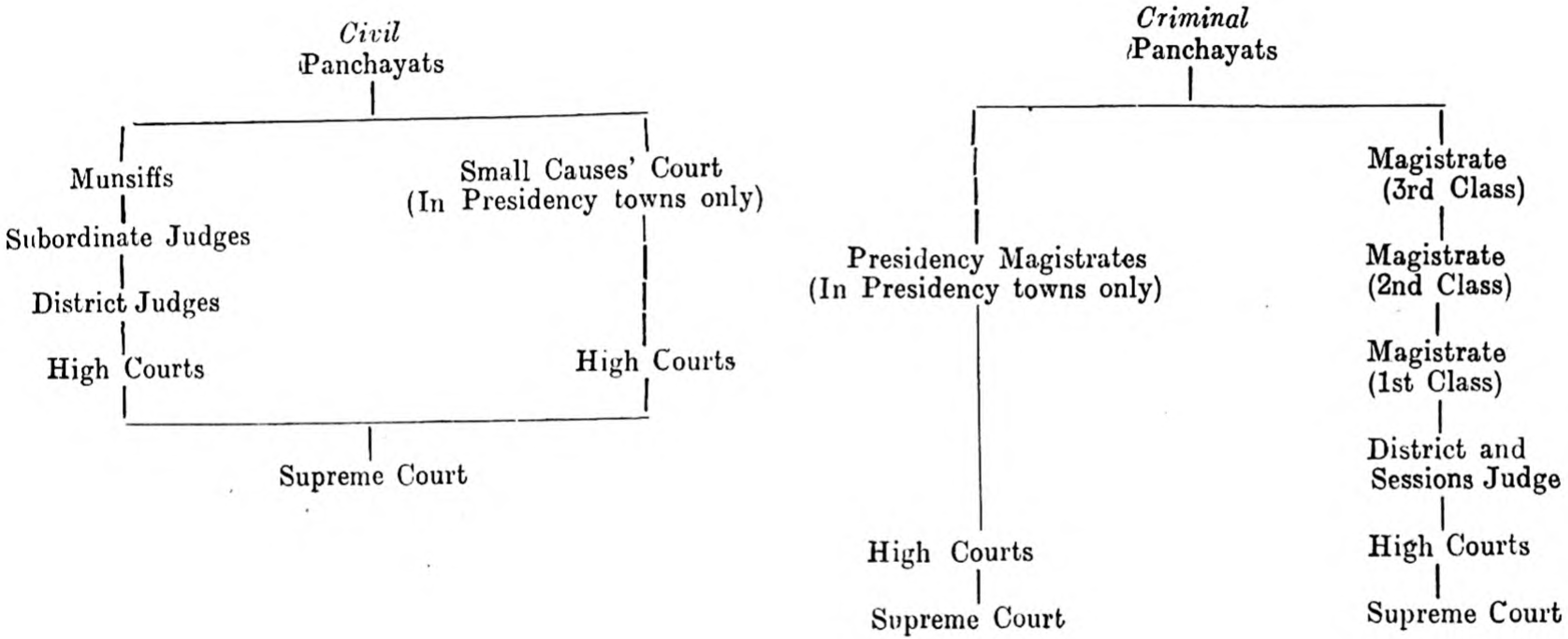
The Supreme Court. This court has been established under the Constitution Act of 1950. The Act made a division of subjects between the centre and the States. Such a division may involve disputes regarding the respective powers of the two governments. It was, therefore, necessary to establish a court to settle those disputes. Hence the Supreme Court was set up. It consists of a Chief Justice, and not more than seven judges, appointed by the President. There are at present two judges and the Chief Justice of India in

Composition.

the Court. They hold office till the age of 65. The Court has four functions. In its original jurisdiction, it tries cases between the Union or Central government and State governments, or between States. In its appellate jurisdiction, it hears all appeals from the decisions of the High Courts in cases involving the interpretation of Constitution, or in civil cases where the amount of the claim is at least Rs. 20,000 or in certain criminal cases. Thirdly, it may give advice to the President when the latter wants its opinion on any matter. Lastly, the Supreme Court has also been entrusted with the function of safeguarding the fundamental rights of the citizens. Any citizen may directly petition the Supreme Court for the protection of any of his rights guaranteed by the Constitution.

Functions.

A chart showing the Courts in India


Civil
Panchayats
Munsiffs
Subordinate Judges
District Judges
High Courts
Small Causes' Court
(In Presidency towns only)
High Courts
Supreme Court
Criminal
Panchayats
Presidency Magistrates
(In Presidency towns only)
High Courts
Supreme Court
Magistrate
(3rd Class)
Magistrate
(2nd Class)
Magistrate
(1st Class)
District and
Sessions Judge
High Courts
Supreme Court

CHAPTER 14

PUBLIC SERVICES

In all countries, while the chief executive or the ministers determine the policy of the government, the function of carrying out this policy is entrusted to officials. These officials are specially chosen for purposes of public service and enjoy security of tenure, and pensions on retirement. While in service, they are prohibited from standing as a candidate for election to the legislature and from joining actively in political affairs. These officials form the public services of the country. In India, there are three grades of public servants, *viz.*, All-India, State and Subordinate.

Recruitment and conditions of Service.

All-India Services. The Officers belonging to the All-India Services (*e.g.*, I.C.S., I.P.S., I.M.S., I.E.S., etc.) are generally appointed as heads of the various Departments and their branches. Appointments to these Services are made by the President. He determines the salaries, allowances and pensions of these services. These officers are paid extremely attractive scales of pay, etc.

The All-India Civil Service.

The most important of these services was the I.C.S. The officers belonging to these services form the "steel frame" of the Indian administration. They occupy all the higher posts in the executive, judicial and political sides of the administration. Recruitment to this service was made at Delhi, by competitive examination, and by nomination. Now all the officers are Indians. This service is now known as the Indian Administrative Service.

With the new constitutional changes, it was decided that the existing civil servants recruited by the Secretary of State would be granted the option of continuing in service in India under the Government of India on their existing scales of pay, or they might retire in which case they would be given proper compensation.

The State Services. These services rank in importance next to the All-India Services. These officers are recruited to serve in the different Departments of a State government, namely, Police, Education, Medical, Agriculture, Forest, etc. Corresponding to the I.C.S., there are also officers who belong to the State Civil Service. These officers run the general administration, and occupy all important posts after the I.C.S. Some of the superior posts in the administration are reserved for officers belonging to this service. They also enjoy some authority and initiative.

Appointments to these services are made by the Governor from persons domiciled in the State. As in the case of Central government, there is a Public Service Commission in the States which is entrusted with the function of recruitment and discipline of these officers.

The Subordinate Services. These rank below the State Services. These are recruited by the State governments. Persons belonging to these services generally possess no initiative, and are entrusted with the routine work of administration.

The services enjoy extravagant scales of pay.

One point in connection with the services in India is that most of these officers enjoy extravagant scales of pay. These salaries appear too disproportionate in view of the extreme poverty of masses. The average Indian earns not more than Rs. 2 per month. Even the juniormost member of the superior services receives a monthly salary which the average Indian cannot expect to earn in five years! This causes a heavy drain on the resources of the country. Hence it has been said that India enjoys the boon of a Rolls Royce administration in a bullock cart country. The scales of pay and allowances granted to the superior services should be reduced considerably in keeping with the average incomes of the people.

Public Service Commissions. Just as there are two sets of governments, so there are two sets of Public Service Commissions, namely, the Union Public Service Commission, and the State Public Service Commissions.

Constitution of the Union Commission.

The Union Public Service Commission consists of a Chairman, and a number of members to be decided by the President. All the members including the Chairman are appointed by the President, who also determines their conditions of service. The existing Union Public Service Commission consists of a Chairman and four members.

Constitution of the state Commissions.

A State may decide to use the services of the Union Public Service Commission. Or it may decide to have a separate Public Service Commission. West Bengal and Assam have each a Public Service Commission. Two or more States may decide to have a joint Public Service Commission. Bihar, Orissa and the M. P. have followed this step. The Chairman and the members of these Commissions are appointed by the Governor, who also determines their conditions of service. There are usually three members of these Commissions, including the Chairman.

Functions.

Appointment, and protection of the rights of the public servants.

These Commissions are entrusted with the function of the recruitment, promotion, control and punishment of the members of public services within their respective jurisdictions. They conduct the competitive examinations and interview candidates for appointment to the various services. They act as the guardian of the rights and interests of public servants. If any of them possesses a grievance, he can submit his case to the Commission for its consideration and redress. These Commissions have been established to protect public servants from the undue pressure of ministers and political parties. The method of appointment, or promotion or punishment is entrusted to this neutral body to prevent nepotism and jobbery.

Since the main function of the Public Service Commission is to select the officials of the government, it is essenal that the members of these Commissions should be men of integrity, independence and impartiality. Their position should be like that of the judges of the High Court. If this is done, the Public Service

Commission will be able to select the best men for the various public offices without fear or favour. As a result the efficiency of the public services will be maintained at a high level. Moreover, if the appointments are made by an independent Public Service Commission, the ministers will be saved from the entreaties of their friends, relations and supporters for various jobs; and the public servants will not be exposed to the undue pressure of the ministers. These Commissions thus fill an important role in modern democracies.

CHAPTER 15

DEFENCE AND FOREIGN SERVICES

The first task of every government is to defend the independence of the country and to maintain peace and order within the country. For this purpose the government has to organise the defence services and to keep them in proper strength and efficiency. A defence-less country invites aggression and falls an easy prey to any invader. The maintenance of adequate defence forces is therefore regarded as one of the essential functions of a government.

Defence Policy.

The government of India has also to maintain considerable defence forces. India has a vast land frontier to guard and her frontier touches five other countries, *e.g.*, Russia, China, Burma, Pakistan and Nepal. Throughout history, India had to face many invasions by foreign forces which came through the passes in the North-Western Frontier. She has also an extensive seacoast to guard, and the British came from over the seas. The last world war has shown that her eastern frontier has also to be guarded. The Japanese threatened to invade India through eastern frontier from Burma. The Chinese penetration into Tibet has also created a number of problems for the defence of our northern frontier. India is a peace-loving country. In fact, from ancient times Indians have seldom shown much aggressive spirit. They have seldom trampled upon the freedom of other countries to further their selfish interests. History will thus bear testimony to the peaceful intentions of India. True to our tradition, our foreign policy aims at maintaining peaceful and friendly relations with all other countries of the world. But in spite of our peaceful intentions, we can never be sure that our country may not be invaded, as in ancient times, by other countries. Hence it becomes necessary for the government of India to raise and maintain large defence forces in view of the vast land and sea frontiers. There are also other reasons why India should maintain large defence forces. One of them is the Kashmir issue and Pakistan's invasion of Indian territory. To show her peaceful intentions. India has taken the Kashmir issue before the Security Council, even though militarily she was in an advantageous position. Large sections of people in Pakistan are constantly threatening to go on a *Jihad* against India in Kashmir. India has, therefore, to maintain a large armed force in Kashmir for the security of that State. Lastly, a large defence force is necessary for the maintenance of law and order within the country. India is a vast country with many classes of people at different stages of civilisation. Habits of law-abidingness have not taken deep root in all parts of the country. Hence the government must always raise and keep strong defence forces in the country.

Organisation of the Defence forces: The defence forces are now organised into three branches, the Army, the Navy, and the Air Force. Each branch is under a separate command. In recent years, arrangements have been made to maintain the National Cadet Corps (N.C.C.) and the Territorial Army as auxiliary branches of the defence forces.

Recent changes in organisation.

During the British rule, the Commander-in-Chief was the official head of the defence forces, and he was a member of the Executive Council of the Governor-General. The Commander-in-Chief determined the defence policy and controlled the organisation and administration of the defence forces.. This arrangement has been changed after independence. There is now a Defence Minister who is an important member of the Union Cabinet. He is responsible for the defence policy of the government. The Commander-in-Chief is no longer a member of the Cabinet, but works under the Defence Minister. He, however, controls the Army Headquarters and has been entrusted with the actual administration of the armed forces.

Certain other changes have also been introduced after 1947. In the first place, steps have been taken to Indianise the Defence Services. The Commander-in-Chief is now an Indian. There are of course a few British officers whose services have been retained. But they hold mostly technical and advisory positions, and the general policy is to replace them as soon as possible by training up officers for this purpose.

Secondly, during the British regime the authorities maintained a distinction between what they called 'martial' and 'non-martial' races. Recruitment for the armed forces was made only from among the so-called martial races. This artificial distinction has been given up at present, and recruitment has been thrown open to all classes of people. This has been done to make the armed forces representative of all sections of the people, irrespective of caste, creed or community.

The Army: The Indian Army is organised in the following way.

The Commander-in-Chief is in charge of the actual administration of the Army and he controls the Army Headquarters. He works under the orders of the Defence Minister. He is assisted in his work by an Army Secretariat and the Army Headquarters.

Army Headquarters.

The Army Headquarters functions directly under the Chief of the Army Staff, and is divided into several branches, the General Staff Branch, the Adjutant General's Branch, the Quarter-Master General's Branch, the Master-General of Ordnance's Branch, the Engineer-in-Chief's Branch and the Military Secretary's Branch. *The General Staff Branch* deals with the technical military policy and is responsible for planning the defence operations. It functions under the Chief of the General Staff. *The Adjutant General's Branch* deals with the raising, training and the distribution of the armed forces in peace time. It is under the Adjutant General. *The Quarter-Master General's Branch* deals with all questions relating to the supplies (*i.e.* food-stuffs, fuel, etc.) for the army, transportation movements, military farms, etc. *The Master-General of Ordnance's Branch* is concerned with the manufacture and supply of armaments, ammunitions, stores, clothing, etc. *Engineer-in-Chief's Branch* looks after the engineering matters, and *the Military Secretary's Branch* helps the Commander-in-Chief.

Below the Army Headquarters, there are now three *Commands* into which the Army is divided,—the Eastern, the Western and the Southern Command. Each Command is under a General Officer Commanding-in-Chief of the rank of Lt.-General. Commands have further been divided into areas, each under a G.O.C. of the rank of Major-General. Areas have further been divided into sub-areas under the command of a Brigadier.

The Navy: The Navy is organised under a separate Commander-in-Chief, Indian Navy, who is in charge of the actual administration. He is assisted by the Naval Headquarters which is organised into six main departments under the general control of the Chief of the Naval Staff. The training of personnel for the Navy is carried out in shore establishments at Cochin, Vishakapattam, Jamnagar, Lonavla and a few other centres. The Commodore, Indian Naval Squadron is responsible for the training operations.

Naval Headquarters.

The Air Force: The Air Force has also been placed under a separate Commander-in-Chief, who is aided in his task by the Chief of the Air Force and the Air Force Headquarters. The Air Force Headquarters is divided into five main branches, each under the charge of a Principal Staff Officer of the rank of an Air Commodore. There are the Departments of the Deputy Chief of Air Staff and Air Vice-Marshall, of the Operational Command, the Training Command, Technical and Equipment services, and of the Personnel and Organisation.

Air Force Headquarters.

Recruitment is now open to all candidates irrespective of race or community. There are two Air Force Academies at Ambala and Jodhpur.

The National Cadet Corps: During the British regime, the government organised the University Training Officers Corps (U.T.O.C.) at each university for providing military training to the students. These facilities were later extended under the Indian National Cadet Corps Act passed in 1948 by the Indian Parliament. The N.C.C. was organised from 1949 at each university mainly for the purpose of developing character and leadership in the youth and of giving them basic military training so as to kindle their interest in the defence of the country.

The N.C.C. is organised into three Divisions, the Junior Division, the Senior Division, and Girls Division. Recruitment to the Junior Division is open to all students between the ages of 13½ to 17 years. Senior Division is recruited from college students between the ages of 17 to 26 years, reading in the 1st, 2nd and 3rd year classes. Recruitment to the Girls Division is made from the girls reading in colleges. Enrolment of cadets is voluntary, and the minimum period of training is 2 years and the maximum is 3 years at the end of which the cadet is given a 'C' certificate. There is no obligation to join the regular Defence forces after the completion of training. The principal idea is to have a potential reserve of officers for the three armed forces. The cadets do not receive any pay except transport charges and camp allowance when they go on a camp. The government of India meets the cost of salaries of officers of the Regular Army who are posted to supervise the units. The organisation of the N.C.C. is under the Director, National Cadet Corps, who appoints a regular officer for supervising each N.C.C. unit known as the Battalion or Squadron. College Lecturers are also appointed Officers in the N.C.C.

Territorial Army: The Territorial Army has been organised under an Act passed by the Indian Parliament in 1948. The object in forming this Army is to have a second line of defence in the event of a national emergency. It is expected that in times of such emergency, this Army would undertake internal defence and would thus relieve the regular army of this responsibility.

Recruitment is open to any Indian citizen of not less than 16 years of age. India has been divided into 8 zones for purposes of recruitment. There are State Units recruited from rural areas and Urban Units, recruited from large towns. In this way attempt is being made to impart some military training to the youth of the country so that they will be able to bear arms when called upon to do so.

Foreign Services. Before 1947 India had no independent foreign policy, and her interests in other countries were looked after by the British diplomats. But since the achievement of independence, India has been able to frame a separate foreign policy of her own. As an independent country, India can no longer utilise the services of the British diplomats. She has therefore established direct diplomatic relations with the different countries of the world through her own representatives. This has necessitated the setting up of a Foreign and Diplomatic Service and this has grown with amazing rapidity.

The foreign services are manned by two groups of officers. The first group consists of high diplomatic officers like the Ambassador Extraordinary and Plenipotentiary, Ambassadors, High Commissioners, Envoys, Charge D'Affairs etc. Ambassadors and High Commissioners have been appointed both from among the distinguished public men of the country (*e.g.*, Mrs. Vijay Lakshmi Pandit, Dr. S. Radhakrishnan, Sirdar K. M. Pannikar, Sri G. V. L. Mehta and others) and from among the seniormost members of the I.C.S. (*e.g.*, Sri B. N. Rau, Sri B. R. Sen and others). Below these high-ranking diplomats there is the second group of officers consisting of the Secretaries, Counsellors, Press Attaches, Military and Cultural Attaches, Public Relations Officers and others. They are generally recruited by the Union Public Service Commission through open competitive examinations.

The functions of these diplomats are to look after the interests of India and Indians in foreign countries, to represent the Indian point of view in these countries to try to establish friendly contacts with the governments of other countries and to represent India at the U.N.O. and other international bodies.

CHAPTER 16

ADMINISTRATION IN STATES

The administrative machinery of a State may be divided into two parts, namely, the controlling organisation at the headquarters of the State, and organisation in the whole State.

The controlling organisation is located at the headquarters of the State. At the head of the administration stands the Governor. All executive action is taken in his name. He has his own staff to assist him in his work. He is aided and advised by a Council of Ministers. Each Minister is in charge of one or more Departments, and deals with all matters under his charge. Each Department has a Secretary, one or more Deputy Secretaries, Under-secretaries, Assistant Secretaries, and a number of clerks. Most of these officers belong to the I.C.S. or the I.A.S. The Secretary occupies a special position. He places all matters of his Department before the Minister for his decision with a note stating his own opinion. The Secretaries of all the Departments and their staffs are collectively known as the Secretariat. The Governor, the Ministers, and the Secretariat,—this triple body provides the controlling organisation of the whole machinery.

The administrative machinery at the headquarters.

A State is divided into smaller areas for better administration. The first such area is the Division. Each State is divided into two or more Divisions. Each Division is in charge of a Commissioner, who is usually a senior member of the I.C.S. He is assisted by a Personal Assistant, a member belonging to the State Civil Service, and a staff. The Commissioner deals primarily with all revenue matters of the Division. He supervises the collection of revenues, and the work of the Court of Wards. He also watches and controls the activities of the Collectors of the various districts under his jurisdiction. In some States, the Commissioner supervises and controls the operation of the local bodies.

The functions of the Commissioner.

District Administration. Each Division is subdivided into a number of districts. The district is the unit of administration in India, and much importance is attached to its administration. Each district is in charge of a District Magistrate who is also known as the Collector. In some States or districts, he is called the Deputy Commissioner. The majority of these Magistrates are appointed from among the experienced members of the I.C.S. or the I.A.S. A few posts are earmarked for the seniormost members of the State Civil Service.

The District Magistrate and Collector.

The District Magistrate or the Deputy Commissioner is the pivot of the whole administration. He is the real *Sirkar* in the district. He performs a variety of functions. As the Collector of the district, he is responsible for the collection of land revenue in his area. He has to keep all the records and registers relating to the land revenue administration. He controls the work of the Court of Wards, and of the *Khas Mahal* lands. As the Magistrate, he maintains peace and order in the district, directs all police work, and supervises the work of the subordinate criminal courts. He orders the prosecutions in different cases, and also sits as a Magistrate to hear appeals from his subordinate magistrates possessing second or third class powers.

Functions of a District Magistrate.

His functions do not end here. He has to supervise the work of almost all other government departments in his district. For example, he has to visit the jail and supervise the jail administration. He also supervises the work of the Executive Engineers, the Civil Surgeon, the District Inspector of Schools among others. He is, of course, not directly responsible for the administration of these departments. These are administered directly by their heads. The District Magistrate co-ordinates and supervises the work of these departments. He controls the local bodies in the district in various ways. He has also to organise famine relief work in his district.

Supervising work of all departments.

The District Magistrate is the representative of the government in the district. He conveys the orders of the government to the people and reports the conditions of the people to the government. Throughout the year, he is constantly on tour in different parts of the district and acquires first-hand knowledge about the people, their conditions and their problems. These he reports to the government. "He is the eyes, the ears, the mouth and the hand of the Government within his district." He has to know everything that happens from the number of thefts and dacoities to any change in the agricultural conditions, from variations in rainfall to the vicissitudes of trade, from the grievances of prisoners to the state of currency and progress of public works in the district. He must also be gifted with a facile pen, and a smooth tongue. He will have to write volumes of reports, and to answer innumerable queries. He will be often in demand for presiding over meetings and other social functions in his district.

Representatives of the government.

Man of all-work of the government.

Since the country became independent, the position of the District Magistrate has undergone a distinct change. During the British regime, he was looked upon as the ruler of the people, and generally these officers kept themselves aloof from the people. All this has changed. The District Magistrate is now required to regard himself as the servant of the people, to mix freely with the people and to give a patient hearing to their complaints and grievances. He is expected to make himself easily accessible to the people. There has thus taken place a subtle change in psychology, which is nonetheless very important. The District Magistrate is no longer the stiff-necked bureaucrat, who is to lord over the people. He is a public servant and a part of the popular government of the country. And the people also do not look upon the District Magistrate as the sole source of authority, as they used to do before 1947. In fact, they now look upon their M.L.A.'s as another important medium of communication between them and the government. They send their grievances

Change in his position after independence.

to the M.L.A.'s who are expected to take steps for the redress of these grievances. The M.L.A.'s have therefore become rivals to the District Magistrate, and this indicates a significant change in the status of the latter.

The Magistrate is both a judge and the executive.

The District Magistrate combines in himself the functions of the executive and the judiciary. In his capacity as head of the Police in the district, he sanctions criminal prosecutions. In his capacity as the Magistrate, he tries accused persons. He also supervises the work of the subordinate magistrates who are entrusted with the trial of persons, accused of criminal offences. This is a serious anomaly. When the executive is also the judge, the latter "might behave with all the violence of an oppressor." There is every likelihood that accused persons will not get justice from one who is himself the prosecutor and judge. It is necessary in the interests of justice that the functions of the judge should be separated from that of the magistrate.

Sub-divisions.

Within the District. The district is again divided into sub-divisions. Each sub-division is in charge of a Sub-divisional Officer (shortly styled S.D.O.), appointed from the junior members of the I.C.S., or from the members of the State Civil Service (styled Deputy Magistrates and Collectors). He exercises in his jurisdiction, functions similar to those of the District Magistrate, under the supervision of the latter. The lowest area is the *thana,* consisting of a few villages, in charge of a Police Officer.

Police. The Police Department looks after the maintenance of internal security in the country. It is mainly concerned with prevention of crimes, detection and prosecution of criminals. It protects the life and property of citizens.

Minister-in-charge.

As all the Departments have been transferred to the control of ministers, the Police Department is in charge of the Home Minister. Subject to the control and supervision of the Minister, the internal affairs of the Department are managed by the Inspector-General of Police. He is chosen from the members of the

I.P.S,. and is the head of the whole police system. The province is usually divided into several ranges, each in charge of a Deputy Inspector-General of Police. The Police force in the three Presidency towns of Calcutta, Madras and Bombay is organised under a Commissioner of Police.

S. P.

Each range consists of several districts. The Superintendent of Police is the head of the Police administration in the district. He controls the internal administration of the force and carries out the orders of the D.I.G., and I.G. of Police relating to these matters. He is under the control of the District Magistrate, and must carry out his orders for the maintenance of law and order within the district. He is assisted in his work by a number of Assistant Superintendents and Deputy Superintendents. A Deputy Superintendent of Police is usually placed in charge of a sub-division.

A sub-division contains several circles, each in charge of an Inspector of Police. Each circle in its turn contains several *thanas*. The thana is the lowest unit of police administration. It consists of several villages, and is in charge of a Sub-Inspector of Police and a number of Constables. Each village has a Chowkidar, who occupies the lowest rank. His salaries are paid by the Union Boards, which, however, has no control over him.

This is the regular Police force. Besides, there are the C.I.D. (Criminal Investigation Department) for the detection of the serious crimes, a Special Branch of the C.I.D. (to deal with terrorists), River Police, etc.

Prisons. This department has also been placed under the control of a Minister who directs the policy, and supervises the administration of jails. As in the cases of the Police, there is an Inspector-General of Prisons, who controls the internal working of the Department. He is appointed from among the senior members of the I.M.S. Each State has a number of central jails, usually located at the headquarters of each Division. Persons convicted of serious crimes are usually confined in these jails. The three Presidency towns of Calcutta, Bombay and Madras possess three Presidency jails. These are each under a

Superintendent of Jails, who is also chosen from the I.M.S. Each district contains a District Jail, under the charge of the Civil Surgeon of the district. Each jail has a Jailor, a Deputy jailor or jailors and a staff of constables and wardens. The District Magistrate has the power to supervise the affairs in these jails. There are also sub-divisional jails in the sub-divisions of the districts.

Borstal Institution.

There are *Borstal Institutions* for juvenile offenders. Here an attempt is made to reform the character of the boys so that they may turn aside from crimes. As it is the intention to make them useful members of the community, they are usually taught some industrial art so that they can earn their livelihood after their release.

CHAPTER 17

VILLAGE GOVERNMENT AND ITS ORGANISATION

In India, the lowest unit of administration is the village. But before we discuss the organisation of an Indian village, it is necessary to examine some of the characteristics of these villages.

Types of Villages. There are three main types of villages in India,—the zemindari villages, the ryotwari villages and the co-operative villages.

Zemindari villages.

In the zemindari or landlord villages, the landlord is the owner of the village, and is responsible to the government for the payment of the land revenue in respect of the village. The landlord lets out the village land in plots to the tenants who pay their rent to him. He is thus an intermediary between the government and the cultivators, and his income, which is often very high, depends on the difference between what he collects from his tenants and what he pays in land revenue to the government. In addition, the landlord and his agents often extort large sums of money from the tenants in various ways. This type of villages prevails in West Bengal, Bihar, Orissa, parts of Assam, Uttar Pradesh and Northern Madras. Steps have been taken to abolish landlordism in the U. P., Bihar, Orissa and Madras.

Ryotwari villages.

In the ryotwari villages, land is held by the ryots or the cultivators, and there is no intermediary like the zemindars between them and the government. The ryots own the land directly under the government, and pay land revenue to the latter. The amount of revenue to be paid by each ryot is determined by the government at the end of a number of years varying from 30 to 40 years, when settlement operations are carried out. This type of villages is found in Bombay, Madras and the Punjab.

In the third type of villages, the whole village is regarded as the joint property of the cultivators who trace their descent to a common ancestor. The land revenue is assessed for the whole village and is paid by the individual who is regarded as the *lambardar* or the headman of the village to the government. But each cultivator is regarded as the owner of the plots that he cultivates and his share of the total revenue is also determined separately. These villages are to be found in the U. P. and parts of the Punjab.

Joint villages.

Characteristics of Villages: Whatever the types of villages, their most important characteristic was their self-sufficiency. Most of the needs of the people living in the villages were met within the village. The village grew its own food and had its own artisans like the weavers, potters, carpenters, oilmen, who manufactured the simple things required by the rural folk. Dependence on the outside world was generally at the minimum. But this self-sufficient character of the villages is fast disappearing on account of the development of railways and other means of communication. Cultivation is no longer carried on to serve the simple needs of the village. It is now carried on for sale in the world's markets. The spread of western education has changed people's ideas, and driven by economic necessities most of them have left their ancestral villages to earn their livelihood in the cities and towns.

Self-sufficiency is declining.

Everywhere in the world the village folk is comparatively more conservative than the city dwellers. This is also the characteristic of the rural people. One important reason for such a state of affairs is the fact that education is less widespread in the villages than in the urban areas. A second reason may be that the more enterprising people usually leave the villages and go to the cities to satisfy their ambition. People who stay back are less go-ahead in temperament and so are more conservative.

Conservatism.

The villages are usually places of quietness and simplicity. You won't find in an Indian village the hustle and the noise, the fever and the fret of a city life. Everything looks quiet and peaceful, and life is undisturbed by the hurry and turmoil one finds in a city.

Poverty.

While these are desirable features, one must not be blind to the fact that extreme poverty, ignorance and filth are to be found in our villages. Agricultural conditions have become stagnant. Cottage industries are in a declining condition and the artisans have been forced to depend more and more on land. As a result, the pressure on land has increased and the cultivators are getting poorer. The villages are dirty and unhealthy and the state of public health is very poor.

Self-government.

A last characteristic of Indian villages on which stress was often laid is the fact that the villages enjoyed a large measure of self-government in ancient days. If the villagers paid their taxes regularly, the government left them alone. It had neither the means nor the inclination to interfere in any way with the working of the village administration. The means of communication were ill-developed, and this fact enabled the villages to enjoy a considerable measure of autonomy. So the villages managed their own affairs through the *Panchayats, i.e.,* the council of elders. But with the advent of the British raj, the means of communication were gradually improved, and the sway of the government reached even up to the distant villages. The system of administration was highly centralised with the result that the villages lost their autonomy. Of course a reaction from this official policy has set in, and attempts are now being made to revive the *Panchayati* system and to restore some amount of autonomy to the villages.

The Administration in Villages. The smallest unit of administration is the village. A group of villages has been organised into a *Taluka,* which is called the *Tehsil* in the Punjab. In the latter State also, there is another unit of administration between the village and the *Tehsil,* which is known as the *Zail.* A *Zail* consists of a small group of villages and a number of *Zails* form a *Tehsil.* The administration of a village is carried on by three officials, *e.g.,* the Lambardar, the Patwari, and the

Chowkidar. In the Punjab each *Zail* is in charge of a *Zaildar* or *Ilaqadar.*

The Lambardar. The Lambardar is the headman of the village. In the Deccan villages, he is known as *Patel,* and in the south as *Reddi.* In Northern India, big villages may have more than one lambardar, when one of them is appointed as the Chief Headman or *Ala Lambardar* or *Sufardposh.*

Tenure of office.

The lambardar is the chief executive officer in the village, and is appointed by the Deputy Commissioner or the chief revenue officer of the district. Before appointing an individual as lambardar, several considerations are taken into account; for example, his social position and family connections, his financial position, the services rendered by him or his family to the government, etc. A lambardar holds office during the pleasure of the Deputy Commissioner, who can dismiss him from service on grounds of neglect of duty, loss of public property, etc. He receives five per cent of the total revenue collected from his village as his remuneration.

Duties and functions.

The lambardar has to perform a number of duties. He collects the land revenue from the village and deposits it at the Treasury, and assists the revenue officials when the latter visit his village for crop inspection and other revenue business, such as the preparation of the record of rights etc. He looks after the government property in the village and reports all encroachments on roads or government buildings or waste lands to the authorities. He helps in the maintenance of peace and order in the village and assists the police in the investigation of criminal cases and collection of information regarding bad characters and suspects in the village. He may have to administer certain village funds such as the *ralba* and other village rates. He keeps a register of births and deaths in the village and sends such a report to the local police thana.

The lambardar thus occupies a very important position in the village. As the representative of the government it is his duty to communicate and carry out the orders of the government in the village. As the most important person in the village, he presides over the meetings of the villagers and conveys their grievances and opinion to the authorities.

The Patwari. Next in importance stands Patwari, or the village accountant. He is the backbone of the administration of land revenue in the village. Generally one Patwari is appointed for a small number of villages. For this purpose each *Tehsil* or *Taluka* is divided into a number of Patwari circles, consisting of a small number of villages. Such circles are known as the *halqa* in the Punjab. The Patwari is appointed by the Revenue Official of the district after a special competitive examination. He is then given a special training on the completion of which he is posted to a circle or *halqa*. He receives a fixed salary and is under a *kanungo* who supervises the works of a number of Patwaris.

Duties and functions.

The Patwari keeps a record of all plots of land in the village, whether cultivated or not; a record of ownership of land and of all changes in ownership by sale, mortgage or partitions, etc. He prepares and revises field maps, inspects crops and keeps their record. He prepares annual statements of all revenue transactions known as the *Yamabardis*. He also keeps a diary or *Roznumcha* in which he records all important happenings in the village affecting land and crops, such as the amount of rainfall, floods, or locusts or damage to crops caused by hailstorms, etc. The *roznumcha* is thus a very important document and contains a good deal of information regarding the villages. In addition to his duties in connection with land revenue, the Patwari is also required to assist in the distribution of *taccavi* loans and other relief during periods of agricultural distress. He has also to prepare the electoral rolls for elections to the various local bodies and legislatures.

The Chowkidar. He is the watchman of the village, and is appointed by the lambardar with the approval of the Deputy Commissioner. There is one Chowkidar for each village, and over every five or more Chowkidars another person is appointed as a *Daffadar*. The Chowkidar receives a remuneration which is contributed by the villagers in the form of a small tax known as the *Chawkidara*.

His main business is to assist the lambardar in the maintenance of peace and order in the village. He reports all occurrence of all crimes to the thana officer and helps the police in investigating crimes. He watches over the activities of all suspects and bad characters in the village. Every fortnight he has to go to the Police Station with a register of births and deaths in the village.

Duties and functions.

Zaildar or Ilaqadar. The *Ilaqadar* is an officer placed in charge of 40 to 50 villages grouped into an *ilaqa*. In the Deccan, he is known as *Deshmukh*. He is appointed from among the lambardars or Ala lambardars of these villages. His remuneration may be paid in two ways. In some places. he receives one per cent of all land revenue collected from his *ilaqa*. In other places. he receives the proceeds of a special tax known as *zaildari* tax.

The *Ilaqadar* is naturally a person of great influence. He supervises the work of all lambardars and patwaris in the *ilaqa*, and every year submits a report on their working to the authorities. He assists the revenue officials when they come for village surveys and crop inspections. He assists the police in investigating crimes and apprehending criminals. He is also responsible for the maintenance of the public road. and village primary schools. He accompanies the government officials who come on tour in his *ilaqa* and gives them all assistance they require. The *ilaqadar* thus occupies a very important position in the administration of villages.

Functions.

CHAPTER 18

LOCAL BODIES

History of Local Self-Government in India.

Every country has a number of local institutions for the administration of affairs which are of special concern to the local areas. India possessed from time immemorial, highly developed local self-governing bodies. Kautilya mentioned that there were good municipal administrations during the reign of Chandragupta. Villages possessed self-governing institutions or *Panchayats* which looked after the rural needs and exercised some judicial functions. But this system declined with the advent of the British rule in India.

History of Municipalities.

The first attempt to set up local bodies during the British period was made in 1687 when a municipal corporation was established in Madras. It consisted of purely nominated members. The Charter of 1726 set up Mayor's Courts at Calcutta, Madras and Bombay. But these were entrusted with judicial functions. Later, acts were passed in 1842 and 1850, providing for the establishment of municipal bodies in any town or suburb.

Lord Mayo's resolution of 1870.

These municipalities were all purely nominated bodies. In 1870, Lord Mayo stressed, in a resolution the necessity of introducing the elective principle in the local bodies. So between 1872-78, some of the seats were thrown open to election, two-thirds of the seats in the Calcutta Corporation, and one-half in Bombay and Madras Corporations were to be filled up by election. The Government nominated the chairman of these bodies, except in Bombay where the Corporation was allowed to elect its own Chairman.

The next great landmark in the history of local self-government came in 1882 when Lord Ripon issued a resolution advocating the establishment of more self-governing bodies "as an instrument of political and popular education". In the Acts which were subsequently passed, the proportion of elected members was enlarged. Some of the local bodies were allowed to elect a non-official in all provinces, and smaller units in some of them.

Lord Ripon's resolution of 1882.

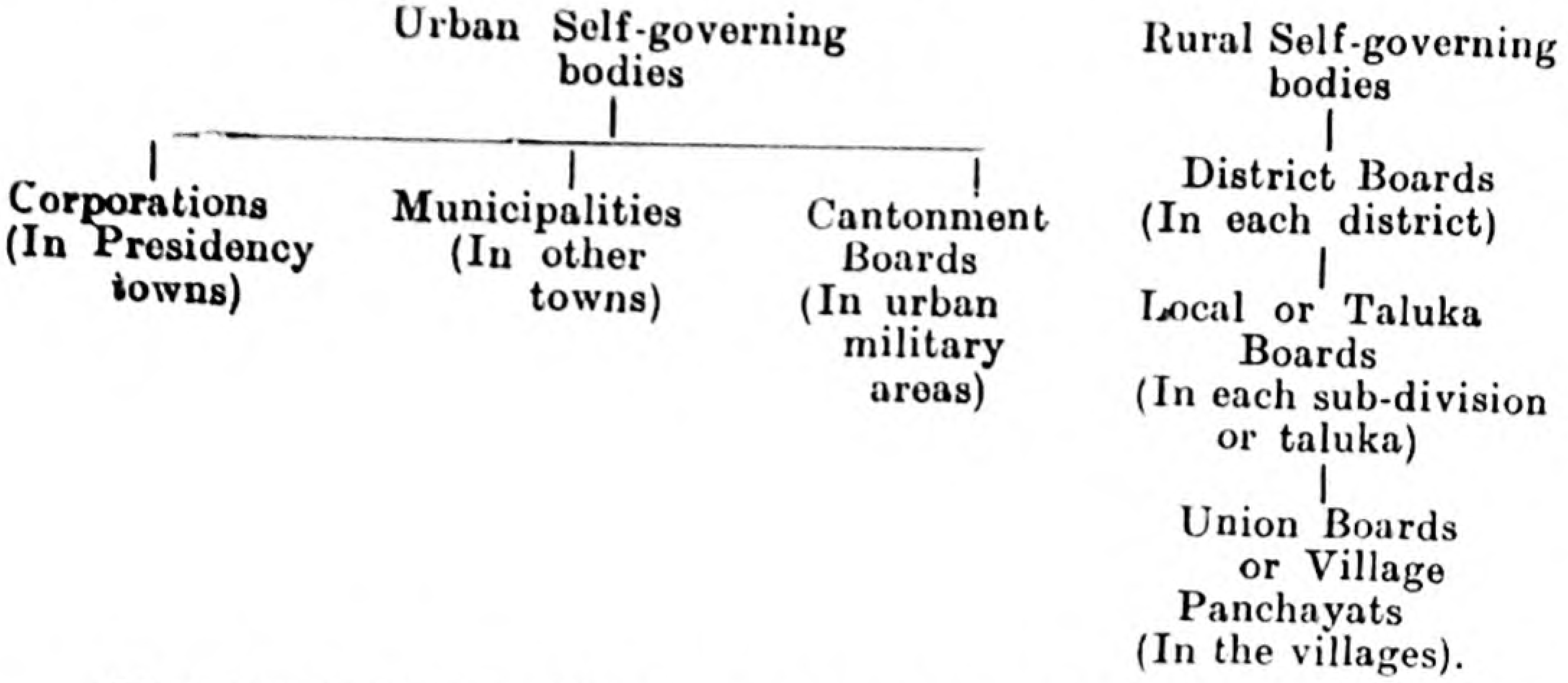
Real progress came after the Reforms Act of 1919 which transferred Local Self-Government to the control of popular ministers. The different provincial legislatures passed acts extending the franchise considerably and increasing the proportion of elected members. Almost all local bodies were allowed to elect a non-official chairman. Further changes were introduced after 1937 with the introduction of Provincial autonomy. In Bombay, for example, adult franchise has been introduced from 1942 in the elections to the Bombay Municipal Corporation. There is no nominated member in that Corporation.

After 1919.

Organisation of Local Bodies. The local self-governing bodies are usually divided into two groups:—those which look to the needs of the cities and towns, and those which cater for the rural areas. In the first group fall three classes of institutions, namely, the Corporations, Municipalities and Cantonment Boards. The Corporations are established in the big cities like Calcutta, Bombay and Madras. The Municipalities are established in other towns or cities. The Cantonment Boards look after those urban areas where troops are stationed. The second group, *i.e.*, the rural self-governing bodies, comprise the District Boards, or Councils, the Local or Taluka Boards, and the Union Boards and the Panchayats. The District Boards or Councils are established in each district. The Local or Taluka Boards

Present organisation of local bodies.

look after the sub-divisions or Talukas. The village Panchayats comprise a village or a group of villages.


Urban Self-governing bodies
Corporations (In Presidency towns)
Municipalities (In other towns)
Cantonment Boards (In urban military areas)
Rural Self-governing bodies
District Boards (In each district)
Local or Taluka Boards (In each sub-division or taluka)
Union Boards or Village Panchayats (In the villages).

Municipal Corporations. The three big cities of Calcutta, Bombay and Madras have each a Municipal Corporation whose constitution is governed by a separate Act of the Legislature. The municipal administration of these cities is vested in Corporations specially constituted for this purpose. The constitution of the Corporation varies in different cities. We shall discuss two of them, those of Bombay and Calcutta, as typical samples.

Constitution.

Bombay Corporation. In the Bombay City, the Corporation now consists of 117 members, of whom 106 are elected from the nineteen wards of the city. Provisions have been made for the introduction of adult suffrage from the election held from 1942. Of the remaining 11 members, eight are elected by special constituencies such as the University, the Chambers of Commerce, and the Trade Unions. The remaining three are *ex-officio* members, being the Commissioner of Police, the Chairman of the Bombay Port Trust, and the Executive Engineer of the Presidency Division. The Corporation sits for four years. It elects one of its members as its President who is known as the Mayor. It is a convention that the Mayor is elected in turn from the different communities.

The work of the Corporation is carried on in Standing Committees consisting of 16 members elected by the Corporation.

The Standing Committees examine all proposals, frame the budget estimates and place them before the Corporation for its final approval. The internal administration is carried on by the Commissioner who is the chief executive officer. He is usually a senior member of the I.C.S., and is appointed to the post by the government for a period of 3 years. He can, however, be removed from office if 64 members of the Corporation vote for such removal. The functions of all Corporations are almost similar, and will be discussed after we have sketched the composition of the Calcutta Corporation.

Constitution.

Calcutta Corporation. The Calcutta Corporation consisted of 81 members of whom 75 members were elected from the different constituencies on the basis of joint electorates. The Chairman of the Calcutta Improvement Trust is an *ex-officio* member, and five aldermen were elected by all the councillors sitting together. Seats for the scheduled castes have been reserved in the general constituencies. The Corporation sits for 3 years, and elects a Mayor and a Deputy Mayor at its first sitting. As in the case of other Corporations, there are nine Standing Committees, each consisting of 12 members elected by the Corporation. These Committees are in charge of one or more departments and discuss all matters relating to these departments. There is a Commissioner, however, appointed by the government on the recommendation of the State Public Service Commission. He is in charge of the administration of the Corporation, subject to its direction. There are other officers like Deputy Commissioners, Chief Engineer, Health Officer and others.

Madras Corporation: The Madras Corporation consists of 78 members of whom 50 are elected from the different constituencies in the city on the basis of joint electorate. One member is nominated by the government and others are elected by different constituencies. The government appoints the Chief Executive Officer of the Corporation.

Functions. Each Corporation is entrusted with a large number of functions. It undertakes the construction and maintenance of roads, squares, parks, gardens within the city limits. It has to look to the lighting and scavenging of the streets. It supplies filtered water for drinking purposes, and unfiltered water for other purposes to the rate-payers. It provides for the drainage of the city. It has framed regulations governing the construction of buildings and no building can be constructed without its approval. It maintains markets, slaughter-houses, and also hospitals, dispensaries and libraries. It is entrusted with the function of vaccinating the city population, and of controlling the infectious diseases and otherwise maintaining the public health of the city. For this purpose, it regulates the sale of food and drugs and of milk in the city. It provides for the registration of births and deaths and for the disposal of dead bodies. To provide against fire, it has to pay the cost of maintaining a Fire Brigade in the city. It can establish and maintain hospitals and dispensaries. The Bombay Corporation has to make payment to the government on account of certain medical institutions of the city and for maintaining the Lunatic Asylum. It is also entrusted with the task of spreading primary education and maintains a large number of free primary schools.

Functions.

Sources of Revenue and Expenditure. The sheet anchor of the revenues of these Corporations is furnished by the Property taxes, *i.e.*, taxes levied on the annual value of all land and buildings in the city. The Bombay Corporation also levies Water tax, Halalkhor tax, and Fire tax, taxes on vehicles and animals and town duties. It also gets a small government grant for primary education. The Calcutta Corporation levied the property tax based on the annual rental value of land and buildings. This includes charges for water supply, for conservancy arrangements and street lighting. In addition, it levies a tax on trades, professions and callings, a tax on animals and carriages, a tax on carts. It obtains a portion of the proceeds of the Motor Vehicles Tax from the government. It also derives some revenue from the

Sources of Revenue.

Corporation markets and other properties. Other Corporations also derive revenue from similar sources.

Heads of Expenditure.

The main heads of expenditure relate to the different departments of the Corporation. These heads can be classified as follows:—Public health (including expenditure on medical relief, street cleaning and conservancy, drains and sewerage, etc.), Public convenience and safety (*i.e.,* construction, maintenance and lighting of roads, parks, water works, Fire Brigade, etc.), Public information (*i.e.,* expenditure on primary schools etc.) and General administration of the Corporation (*i.e.,* paying the salaries and allowances of the staff etc.).

Constitution.

Municipalities. In all other cities and towns, municipalities have been established to administer the local affairs. The constitution of the municipalities varies in different provinces. Certain broad principles are discernible with regard to the constitution of the municipalities in all provinces. Each municipality consists of a number of members, of whom the majority are usually elected by the rate-payers on the basis of joint electorates with reservation of seats for the minority communities. The government also nominates a portion of the members except in Bombay and Madras. The members sit for three or four years as the case may be. They elect a Chairman or a President from among themselves. In the M.P., the President is elected by the voters. He presides over the meetings of the municipality, and exercises supervision over, and controls, all the acts of the officials of the municipality. Some municipalities may appoint a Chief Executive Officer to be the head of the municipal administration. As in the case of Corporation, the work of the municipalities is conducted by Standing Committees, consisting of some members of the municipality. In addition, the municipality may appoint a Secretary, an Engineer, a Health Officer, Sanitary Inspector and other officers.

In the appendix of this chapter we have given the details regarding the constitution of the municipalities in the different

States. As the functions and the sources of revenue and expenditure are similar in all States, we shall discuss them in this chapter.

Functions.

Functions. It is the duty of a municipality to construct and maintain the public streets, squares and gardens. It shall also look to the lighting of the streets. It shall also provide and maintain municipal markets, slaughter-houses, and issue licenses permitting the opening of private markets. It shall make suitable arrangements for conservancy and drainage and provide for the removal of sewage, rubbish and offensive matter. It shall provide for water-supply by the construction of wells, tanks or water-works. It shall make regulations governing the erection of buildings, and for carrying out improvements with regard to *bustees.* It shall maintain a fire brigade for extinction of fires. It shall provide for vaccination, and for controlling infectious diseases; provide for hospitals, dispensaries, nurses, midwives, etc., and make rules for child welfare. It shall control and regulate the sale of food and drugs, and inspect the weights and measures. It shall provide for the registration of births and deaths, and maintain burial or burning grounds for the disposal of the dead. Last but not the least, it shall form an Education Committee which shall superintend matters connected with all schools, libraries and museums, etc.

Sources of income.

Sources of revenue. The funds of the municipalities are derived from the following sources. It levies a tax on the annual value of the holdings, a water-rate, a lighting-rate and a conservancy-rate on the annual value of holdings. It also levies a tax on horses and carriages and other animals; a tax on trade, professions and callings; tolls on ferries and on bridges; a fee for the registration of carts, and fees for the issue of any license. In some provinces (except West Bengal), the municipalities can levy octroi duties (*i.e.,* taxes on import and export of goods into and from the municipal areas). The municipalities also derive a small revenue from the municipal properties. In addition, they receive grants of money from the government, usually ear-marked for particular purposes. It may also borrow money with the permission of the government.

Heads of expenditure.

These revenues are utilised for carrying out the functions of the municipalities, namely, construction and maintenance of streets, bridges, squares, drains, latrines, etc., watering, cleansing and lighting of streets, water-supply, conservancy and drainage, schools, and the training of teachers, vaccination, maintenance of hospitals, dispensaries, maternity houses, child welfare centres, etc., prevention of infectious diseases, maintenance of burial and burning grounds, etc.

Small Town Committees: Municipal Committees have been established only in those towns where the total population numbers at least 20,000 or over. In towns with a smaller population (*i.e.*, with less than 20,000 people) the local affairs are managed by Small Town Committees or Town Area Committees. These are organised on the same basis as the municipal committees with some differences. The size of each of these Committees is fixed by the State government, which also nominates a number of members. Their powers and revenues are smaller than those in the municipalities. They are subject to more official control than in the case of the municipalities. Otherwise they perform almost the same function as the latter.

Notified Area Committees: Town Area Committees manage the local affairs of towns having a population between 20,000 to 10,000. Still smaller towns, *i.e.*, those with a population between 10,000 and 5,000, have been provided with Notified Area Committees. Each Committee consists of a small number of members who may be entirely nominated by the government, or who may be partly nominated and partly elected. Their functions and revenues are on a much smaller scale than in the case of Town Area Committees and they receive financial help from the District Boards and the State governments.

Cantonment Boards: Towns or parts of a town where troops are stationed are known as cantonments. The administration of the local affairs of a cantonment is carried on by a Cantonment Board where the majority of members are nominated usually from the armed forces. The Chairman is also appointed by the government from among the members of the defence forces. Their functions are similar to those of the municipalities. But they are controlled not by the State governments but by the Defence Ministry of the Union government.

Improvement Trusts: An Improvement Trust is a special type of organisation set up for the purpose of bringing about improvements in congested cities. Big cities like Calcutta or Bombay or Madras have grown up in a haphazard manner with the growth in urban population often without good and wide roads, sufficient open spaces or parks, and without good drains and sanitary arrangements. These cities contain a large number of *bustees* or slums where men live huddled together in incredible filth. Improvement Trusts have been established to solve these problems of over-crowding and insanitary conditions. It is the duty of these Trusts to demolish the *bustees* or slums, to open out congested areas by the construction of wide roads, large parks, and drains, to construct houses for the poorer classes, and to improve the sanitation of these areas. These Trusts have been established in big cities and towns like Calcutta, Kanpur, Delhi, Bombay, Ambala, Jullundur, etc. Each Trust consists of a number of members known as Trustees, some of whom are nominated by the State government and others are elected by the Corporations or municipalities, and the various commercial organisations like the Chambers of Commerce etc. The State government appoints the Chairman and the Secretary of these Trusts, who are paid high salaries. Their incomes are derived from the sale of land, grants from the government and loans floated by them in the market.

Port Trusts: The Port Trusts have been set up for administering the ports of Calcutta, Bombay, Madras, Vishakhapattam, etc. Each Port Trust consists of a number of members, some of whom are nominated by the government and others are elected by the local municipalities or Corporations and the various commercial organisations. The Chairman of the Trust is appointed by the government. The main functions of a Port Trust are to manage the affairs of the dock, to provide dock accommodation and other facilities to all ships. The Trust constructs and maintains harbours, docks, jetties and warehouses ; runs ferry steamers and provides pilot services for the incoming and out-going vessels etc. To meet its expenses, the Port Trust levies certain shipping charges, collects rent for the use of the Port warehouses and charges loading and unloading fees.

APPENDIX TO CHAPTER 18

MUNICIPALITIES IN DIFFERENT STATES

Bombay. Each municipality consists of a number of members to be fixed by the government. All the members are elected by the rate-payers. Seats for scheduled castes, backward classes and women are reserved in the general constituencies under a system of joint electorates. The members elect a President and a Vice-President who shall hold office for one to three years to be determined by the members.

U. P. Each Municipal Board shall consist of a number of members fixed by the government. At least two-thirds of the members shall be elected, and not more than one-third will be nominated by the government. If the government makes provisions for special representation of any class among the elected members, the number of nominated members shall not exceed one-fourth of the total number of elected members. Of the nominated members, at least one must belong to the depressed classes, one to any special interest not represented in the municipality, and one must be a woman. The remaining nominated members may be nominated by such bodies as and if the government so prescribes. As regards Muslims, the government will declare after each census the percentage borne by the Muslim population to the total population of all municipalities, and the Muslims will get this percentage of seats in all municipal committees. The members will be elected every fourth year. The government may, however, postpone the general election for one year more. The members shall elect a Chairman and Senior and Junior Vice-Chairmen. The municipality may also appoint an Executive Officer by special resolution, subject to the sanction of the government. In other municipalities a Secretary may be appointed as also other officers. The members may appoint a number of Standing Committees, composed of members elected from among themselves, and, if they so desire, of a number of non-members.

These municipal Boards are meant for the larger towns having a population of 20,000 or more. In towns with a population below 20,000, but above 10,000, there are Town Area Committees. In smaller towns, the local affairs are directed by a Notified Area Committee. The members of these Committees are elected, and elect a Chairman to preside over their meetings. They function like the Municipal Boards. But their powers are limited. They can levy small taxes like the tax on ferries, ***melas,*** etc., and get a share of the local revenues. They look after the health and sanitation of the areas under their control. The local official exercised considerable powers of supervision over their activities.

M.P. A Municipal Committee consists of not less than five members. The majority of the members are elected by the ratepayers. A portion of the members, not exceeding one-fourth of the total number of elected members, is to be selected by the elected members from among persons resident in the municipal area. Special provisions have been made for Muslims, Harijans and women. If the elected members do not include a Muslim, a Harijan and a woman, the total number of "selected" members is to be increased by three additional members. If the elected members fail to select these three members, they shall be nominated by the government. The members sit for a period of three years.

The President of the Committee is elected by the voters of the municipality from among themselves. The President appoints not more than two Vice-Presidents from among the members of the Committee, or from the voters. The members of the Committee may appoint one or more Sub-committees to supervise and direct its work.

The Punjab. In the Punjab, a municipal committee shall consist of not less than five members, the actual number to be decided by the government. Three-fourths of the members will be elected, and not more than one-fourth will be nominated by the government. The term of office of the members shall not exceed three years. And the government may provide for the retirement of members by rotation. The members shall elect from among themselves a President with the approval of the government in the case of first class municipalities or of the Commissioner in the case of other municipalities. The President shall hold office for three years, or for the period of his term of office as member. One Committee shall also elect one or two of its members as Vice-President. The municipality may also pay a salary to the President with the approval of the government. It may also appoint Sub-committees and specify their duties. It may also appoint Ward Committees with the sanction of the government, and delegate its powers to such Ward Committees. It shall appoint a Secretary, subject to the approval of the government or the Commissioner (in the case of second class committees).

The Municipal Committees in the Punjab have to spend out of their funds such sum as may be required for the maintenance of a police establishment, the actual amount to be decided by the government. Besides the usual number of taxes (*e.g.*, property tax, profession tax, tax on vehicles, animals, etc.), they are empowered to levy a tax on menial domestic servants to be paid by the employer.

The State government may also set up a Notified Area Committee in small towns of less than ten thousand population where it is not expedient to constitute a municipality, and may entrust such functions to it as it considers necessary.

Bihar. Each municipality shall consist of not less than ten, and not more than forty members. Not less than four-fifths of the members shall be elected, and the rest shall be nominated. Each municipality shall elect a Chairman and a Vice-Chairman from among its members. The members hold office for five years. They may appoint a number of committees to assist them in the discharge of their functions. The Commissioners may also appoint one of their members to be the President, provided the government has not granted it exemption. The President presides over the meetings of the Commissioners. The Chairman supervises the affairs of the municipality and exercises all powers subject to the direction of the municipality.

All the usual functions have been entrusted to these municipalities. They can levy all the usual taxes except the octroi duty.

As in the Punjab, the government may appoint Notified Area Committees in small towns.

West Bengal. A municipality consists of not less than nine and not more than thirty Commissioners. Three-fourths of them are elected. In bigger towns, four-fifths of the members are elected. The rest are nominated by the government. Seats are reserved for the minorities in joint electorates. The Commissioners hold office for four years, and the period may be extended by one year by the government. The Commissioners elect a Chairman and a Vice-Chairman from among the non-official members. The government may require a municipality whose revenue exceeds Rs. 1 lakh a year to appoint a Chief Executive Officer. In other municipalities, the Commissioners appoint a Secretary and a number of officers. There are Standing Committees for the convenient conduct of the business of the municipality.

Madras. There are 98 municipalities in the State including the Madras Corporation. The number of members of each municipality varies from 16 to 36, the actual number being fixed by the State government. Previously the franchise for the election to these municipal councils was based on property and educational qualifications. But since the year 1952, adult suffrage has been introduced in these elections. Each municipal Council elects a Chairman and a Vice-Chairman from among its members. It may also appoint a number of committees for the convenient transaction of the business of the Council.

CHAPTER 19

RURAL SELF-GOVERNING BODIES

The local self-governing bodies consist of the District Board or Council, the Local or Taluka Board, and the village Panchayats. The District Board or Council has jurisdiction over the whole district. The Local Boards work under the District Board and have jurisdiction over a sub-division or a Taluka of a district. The village Panchayat administers the affairs of a village or a group of villages. There is no District Board in Assam, the Local Boards taking the place of the District Boards. The Taluka Boards have been abolished in Bombay and the Punjab and the Local Boards are being abolished gradually in West Bengal.

The constitution of the District Board or the District council varies in the different States. We shall briefly review the constitution of these Boards in some of the States.

Punjab.

PUNJAB. There are about 12 District Boards in the Punjab. A District Board consists of not less than six members, the actual number in each case being determined by the State government. At present the number of members varies from 31 in Ludhiana to 49 in Ferozepur. Until recently, about two-thirds of the members were elected, and the rest nominated by the government from among the officials and non-officials. In the majority of the Boards, the Chairman was nominated by the government and usually the Deputy Commissioner of the district himself occupied the chair. All this has been changed. In future, with few exceptions all members are to be elected on the basis of adult suffrage. A few officials may be nominated. But they will have no right to vote. Seats are to be reserved for only the scheduled castes. The Chairman is to be elected by the members, except when two-thirds of the members of a District Board request the government to appoint an official Chairman. Each Board sits for three years and its life may be extended by the State government. The Chairman is the chief executive authority, and he is to be assisted by a Senior Vice-Chairman and a Junior Vice-Chairman, who are elected by the members of the Board. There is also a Secretary, a paid servant of the Board, who is in charge of the office and helps the Chairman in the discharge of his duties.

Bombay.

In BOMBAY, the District Local Boards consist of members, all of whom are elected. All persons who have been enrolled as voters for the Legislative Assembly are also voters for the District Boards. All members are elected from general constituencies where seats have been reserved for the scheduled castes, backward tribes and women. Each Board sits for three years. The members of the Board elect a President and a Vice-President from among themselves. The President not only presides over the meetings of the Board, but also keeps watch over the administration. The Board also appoints one or more standing committees to perform such duties as are assigned to them.

M. P.

In the MADHYA PRADESH, the District Council shall consist of such number of members as are fixed by the government. Four-fifths of the members are elected by the members of the Local Boards, and one-fifth are selected by the Local Boards from persons who are resident within the District Council area, and who are qualified to be a voter. There must be a Muslim, a Harijan, and a woman among the members. If the Local Boards fail to elect such members, the government has the power to nominate them. The District Council elects a person, either from among its members, or from persons resident in the District, to act as the Chairman. A Vice-Chairman is also elected in the same way.

U. P.

In the U. P., the District Boards consist of a number of members fixed by the government. A majority of the members are elected, and the rest are nominated by the government. The members elect their own Chairman. The Board may also appoint a person to act as its Secretary who is the chief executive officer of the Board. There are also many committees to look after the different subjects like education etc.

Bihar.

In BIHAR, a District Board consists of a number of members not exceeding forty. Three-fourths of the members are elected, and not more than one-fourth of the members will be nominated by the government. Of the nominated members, not more than two-thirds can be officials. The nominations are to be made to secure due representation of minorities and other special interests. Each member holds office for five years. The members shall elect a Chairman and a Vice-Chairman from among themselves.

W. Bengal.

In West BENGAL, a District Board consists of not less than nine members. Two-thirds of the members are elected, and the rest are nominated by the government. The members are elected by Local Boards (where there are such boards) or by the voters entitled to vote in Union Board elections. They hold office for four years. The members elect a Chairman and a Vice-Chairman from among themselves. In exceptional cases, the government may appoint a Chairman. The Chairman presides over the meetings, and conducts the business entrusted to the Board, in accordance with the directions of the Board. He is the chief executive, and directs the administration of the Board. The Vice-Chairman presides in his absence, performs such functions as are delegated to him by the Chairman. The Board may appoint a Secretary, an Engineer, and other officers and servants. The business of the District Board is conducted by the Chairman with the help of these officers.

Functions.

Functions. The functions of the District Boards are similar to those of the municipalities. They maintain and conduct roads, bridges and other means of communication. They construct and maintain hospitals, dispensaries, markets, bungalows and *serais* (or rest houses) and other public buildings. They have to provide for water-supply in the district by constructing tanks, wells or tube-wells, etc.; and for drainage by the construction of suitable drainage works. They maintain hospitals, dispensaries, and have to provide for vaccination and for other kinds of medical relief. They also carry out important measures of public health, *e.g.*, the prevention of epidemic diseases like cholera or small-pox, campaign against malaria and kala-azar, training of *dais* for service in rural areas, establishment of public health laboratories, etc. They also maintain veterinary hospitals. The spread of education is one of the most important functions of these Boards. For this purpose they maintain, and give suitable grants to, the primary and secondary schools, and industrial schools. They maintain pounds and ferries, and have to provide for famine relief. A few Boards have provided for the construction of light railways by entering into contracts with a railway company, and giving a guarantee of profits at a certain rate.

Sources of revenue. The income of the District Boards is derived from the land cess (*i.e.,* a tax on land as a certain percentage of land revenue). In the Punjab, the Board levies a tax, known as the *Haisiyat tax* on all persons who do not pay any land revenue, but possess incomes exceeding a certain amount. Secondly, the Boards also derive some revenue from the receipts under cattle pound and other items. Thirdly, tolls on ferries and roads also bring some revenue. Fourthly, they derive some revenue from the working of the various departments, *e.g.,* hospital and dispensary receipts, sanitary fees and fines, school fees, etc. Lastly, they obtain grants of money from the government earmarked for various purposes, and raise loans with the permission of the government. In the Punjab, the District Board may, with the previous sanction of government, levy any tax which the State legislature is authorised to levy. They may also levy fees for the registration of marriages, fees at fairs, *melas,* etc.

The main heads of expenditure relate to the functions of the Boards. The funds of the Boards are spent in maintaining the office establishment, and on the maintenance of communications, of buildings, and drainange works, on public health and medical relief; on the starting and maintenance of schools in the villages and other areas; on water-supply and on famine relief, cattle pounds, veterinary charges, public exhibitions and fairs, etc.

Government Control. The control of the State government over the District Boards varies in different States. Previously when the Chairmen of these Boards were nominated from among the government officials, the control of the government was stricter than at present. Moreover, the general policy nowadays is towards the grant of greater autonomy on the local bodies. However, the government has retained control over the District Boards in many directions. In a large number of States, once the District Boards approve of their budgets, they have to send a copy of the budget to the Commissioner of the Division who retains the final authority to sanction it. The Commissioner and the Deputy Commissioner have the power to call for all papers and documents from the District Boards and ask them to supply the required information. Lastly, the government may order the suspension of a District Board if it finds the latter guilty of gross inefficiency, or neglect of duty, etc.

Local Boards

Constitution and functions.

The Local Boards exercise jurisdiction over a sub-division or a taluka of a district. Their constitution is almost similar to that of the District Board, the only difference being that the number of members and their functions are smaller than those of the District Boards. In the M. P., for example, the Local Board consists of a number of members, elected from each circle into which the locality served by the Board is divided. These elected members select a number of other members from among the residents. Each Board must include a Muslim, a Harijan and a woman member. The Local Board is the agent of the District Board, and performs such functions as are entrusted to it by the parent Board. It has no independent source of revenue, its expenses being paid by the District Board. The latter possesses the power to vary a resolution of the Local Boards, and to provide for the performance of any functions in cases of default. The Local Boards within the District Council area elect members of the District Boards. Similarly, in W. Bengal also, the members of the Local Boards (in areas where there are such boards) elect the members of the District Boards. But in recent times the government is taking steps to abolish the Local Boards. In Bombay and the Punjab, the Local Boards have already been abolished. The District Boards have the power of appointing Taluka Committees. But none of them has appointed such a Committee.

In Bihar, a Local Board consists of all the members of the District Board who have been elected from the area served by the Board, and not more than one-third of the number of such members. These last group of members are appointed by the District Board to secure the representation of minorities and special interests. The members hold office for five years as in the case of District Boards. The Board acts as the agent of the District Board, and, subject to the control of the latter, spends such funds as are entrusted to it by the District Board.

The Village Panchayats

The village Panchayat is the oldest local body in India. The Panchayat or the council of five consisted in ancient times of five old respected men of the village who settled all questions in the village. These bodies became moribund in subsequent periods. The government has, however, tried to revive it in a modified form. The constitution of these Panchayats varies in different provinces. A Panchayat exercises jurisdiction over a village or a number of villages.

THE PANCHAYATS IN THE U. P. Though village Panchayats were first established in the U. P. in 1920, a revolution has been brought about in that system under the Gaon Hukumat Act of 1948. Under that Act, attempts are being made to re-organise self-governing village communities to cover the entire rural population of the State. Nearly 35,000 Gaon Sabhas (village Assemblies) and 8,225 Adalati Panchayats (village Courts) have been established under the Act to cover all the villages of the U.P.

According to the Act, a Gaon Sabha (village Assembly) is to be established in every village or group of villages whose population is ordinarily 1000. Every adult member, permanently residing in the village, becomes a member of the Gaon Sabha.

Gaon Sabha.

The Gaon Sabha holds two general meetings every year when it passes the budget for the following year, examines the accounts of the previous year, and suggests the levy of taxes. Thus through his membership of the Gaon Sabha every adult, male or female, has a voice in the administration of the affairs of his village.

The Goan Sabha elects a Pradhan (President) and an Upa-Pradhan (Vice-President), who hold office for three years. They may be removed from office by the Sabha, provided the proposal is approved by at least two-thirds of the members. The Sabha also elects from among its members an Executive Committee to be called Gaon Panchayat. The number of members of the Committee varies from 30 to 51. The members are elected for three years, one-third retiring every year. The Pradhan and the Upa-Pradhan are also the President and the Vice-President of the Gaon Panchayat. In addition to presiding over the meetings of the Panchayat, the Pradhan acts as the chief executive officer. He superintends the executive and financial administration of the Panchayat, and carries out the resolutions of the Panchayat. The Panchayat must meet at least once a year. It can form as many committees as may be necessary, and every such committee is to contain not less than five and not more than seven members, and outsiders may be co-opted in these committees. There is to be a Secretary who is to be appointed by the Pradhan.

Functions of the Sabha.

The Gaon Panchayats have been entrusted with both obligatory and optional functions. The obligatory functions must be performed by all Panchayats, while they may or may not undertake the optional functions. The obligatory functions include the construction, maintenance and lighting of streets, provision of medical relief, inoculation, establishment of primary schools, provision of drinking water, rendering assistance in the development of agriculture, commerce and industry, etc. The optional functions include the arrangements for improved breeding and medical treatment of cattle, famine relief, provision of libraries, etc.

Composition and functions of the Gaon Panchayats.

The Act has also provided for the establishment of Adalati

Composition and functions of Adalati Panchayat.

Panchayats for the speedy trial of civil and criminal cases. For this purpose, a *Tehsil* has been divided into a number of circles, each circle consisting of about 3 to 5 Gaon Sabhas. Every Gaon Sabha elects five literate *Panches* to the Adalati Panchayat for the circle. Each member of the Adalati Panchayat sits for three years, and the members elect a *Sarpanch, i.e.,* a Chairman from among themselves. The *Sarpanch* forms a bench of five *Panches* out of the whole panel of *Panches* for the trial of a case. The Adalati Panchayat has a three-fold jurisdiction—civil, criminal and revenue matters. In civil matters, all suits whose value does not exceed Rs. 100 can be brought before it, and in criminal cases, certain minor offences may be tried by it. In revenue matters, all revenue suits relating to the mutation or correction of records etc. shall be transferred by the Tehsildar to the Adalat. The maximum penalty the Adalat can award is a fine not exceeding Rs. 100. It cannot inflict a sentence of imprisonment. These village Courts are expected to ensure speedy disposal of cases and thus save the parties much unnecessary expenditure.

In order to meet its expenses, each Sabha has at its disposal a Gaon Fund, consisting of the proceeds of all fees, fines or penalties, taxes, loans and grants, etc. The Panchayat may charge license fees to grain and cloth merchants, owners of vehicles, and others, and may levy a tax at a rate not exceeding one anna in the rupee on the rent of land or on buildings, etc.

These Gaon Sabhas provide an interesting experiment in direct democracy. It is interesting to learn that 34 women have been elected as Pradhans, 15 as Upa-Pradhans and 1010 as members of Gaon Panchayats and 36 as members of the Adalati Panchayats. Many Panchayats are making serious efforts to improve the roads and canals in their areas. Some have opened primary and adult schools, reading rooms, libraries and dispensaries, etc.

PANCHAYATI SYSTEM IN THE PUNJAB. In the Punjab a Panchayat Act was passed as early as 1912. Under an Act passed in 1939, a Panchayat is to be established in a village or a group of villages. Each Panchayat consists of 3 to 7 members elected by the vote of the villagers on the basis of adult suffrage. The members are elected for 3 years. The most influential member is appointed the *Sarpanch* (or the chairman) by the Deputy Commissioner for a period of one year. He holds office for one year and presides over the meeting of the Panchayat. There may be a Naib *Sarpanch*. These Panchayats may try petty civil and criminal cases. In civil cases, the value of the suit must not exceed Rs. 50/- and in criminal cases, they can impose fines upto Rs 25/-. The decision of the Panchayat is final. But appeals may be made against a judgment to the Deputy Commissioner with the latter's permission.

The Government has recently introduced a Bill for the purpose of amending the Panchayat system on the model adopted in the U. P.

Gaon Panchayats.

THE PANCHAYATS IN THE M. P. Under the Panchayats Act of 1947 passed by the government of Madhya Pradesh, provisions have been made for the establishment of a Gram Panchayat for a village or a group of villages. Each Panchayat consists of 5 to 15 members, the actual number being decided by the State government. The members are elected by the vote of all adult members of the village for a period of 4 years. The voters are also to elect a *Sarpanch* or the Chairman for a period of 3 years. The *Sarpanch* shall nominate another person as the Deputy *Sarpanch*. The *Sarpanch* presides over the meetings of the Panchayat and exercises full executive authority. The Panchayat appoints a Secretary and other staff, who work under the *Sarpanch*.

Nyaya Panchayat.

The government shall also establish *Nyaya Panchayats* (Local Courts) for the trial of petty civil and criminal cases. Each Nyaya Panchayat consists of not less than five members, who are appointed by the State government from among the *Panches* of the Gram Panchayats within the area. A Nyaya Panchayat holds office for five years. The Chairman of the Panchayat shall be appointed by the State government, and the Chairman nominates a Deputy Chairman. The Nyaya Panchayat tries petty civil and criminal cases. In civil cases, the value of the suit should not exceed Rs. 100/-, and in criminal cases it can inflict fines upto Rs. 50/-.

The functions of the Gaon Panchayat have been classified into two groups,—compulsory and optional. The compulsory functions include sanitation and conservancy, cleaning of village roads, medical relief and first aid, supply of water, registration of births, deaths and marriages, construction of roads, etc. The optional functions include the lighting of village roads, establishment and maintenance of markets, slaughter houses, spread of education, establishment of maternity centres and child welfare centres, improvement of agriculture, cattle, cottage industries, etc.

Gram Panchayat.

Panchayats in Bihar. Under the Panchayat Raj Act of 1948, provisions have been made for the establishment of a Gram Panchayat for a village or a group of villages. The Gram Panchayat consists of all adults ordinarily residing in the village or villages. It meets twice a year after the *kharif* and *rabi* harvests to pass the budget for the coming year and to consider the accounts of the preceding year.

The executive functions of the Gram Panchayat are performed by an executive committee, consisting of 7 to 15 members. The Panchayat first elects a member as the *mukhiya* (the Head), who is the head of the executive committee. The *mukhiya* then nominates the members of the executive committee, who hold office for 3 years. For the general watch and ward and for meeting cases of emergency, the executive committee of a Gram Panchayat may organise a village volunteer force, consisting of all able-bodied males of the village between the ages of 18 to 30.

Gram Cutcherry.

Every Gram Panchayat is to set up a *Gram Cutcherry* for the trial of civil and criminal cases. Each *cutcherry* consists of a panel of 15 persons elected by the Gram Panchayat who are known as *Panches.* The *Panches* hold office for 3 years and elect one of them as *Sarpanch, i.e.,* the President of the *Gram Cutcherry.* No *mukhiya* or other members of the executive committee can be appointed as a *Panch.* All cases are to be heard by a bench of *the Cutcherry* consisting of the *Sarpanch* and two *Panches* to be named by the respective parties to the suit from among the panel of *Panches.* The bench shall try to bring about amicable settlement of the dispute. In civil cases, the value of the suit must not exceed Rs. 100, and in criminal cases, it is to be vested with the powers of a magistrate of the third class. An appeal from the decision of the bench can be made to the full bench of the *Gram Cutcherry* consisting of the *Sarpanch* and all the *Panches.*

The functions of the Gram Panchayat have been divided into compulsory and supplementary groups. The compulsory functions include the construction and maintenance of roads, supply of water, sanitation and conservancy, medical relief and first aid, etc. The supplementary duties include the lighting of streets, primary education, construction of wells, ponds, maternity and child welfare, etc.

PANCHAYATS IN BOMBAY. In Bombay, a village Panchayat consists of not less than seven and not more than eleven members. All members are elected on the basis of adult suffrage; seats are reserved for the Scheduled Castes. The members of the Panchayat elect a President from among themselves. He is known as the *Sarpanch,* and carries out the executive functions of the Panchayat subject to the latter's control and direction. Each Panchayat is elected for 3 years. There is a Secretary, a paid official, who is appointed by the government. Each Panchayat elects five of its members to serve on the village Court for the trial of petty civil and criminal cases.

W. Bengal.

In WEST BENGAL, the Panchayats are known as Union Boards. These consist of not less than six and not more than nine members. Two-thirds of them are elected, and one-third are nominated by the District Magistrate. The members hold office for four years. They elect a President who is the executive head of the Board. The Boards have judicial powers in minor cases, both civil and criminal.

Functions.

Functions. The functions entrusted to these bodies are more or less similar in all States. These perform the functions similar to those entrusted to the District Boards. They have to construct and maintain the village roads and bridges. They provide for the water-supply in the villages by sinking wells, tube-wells, etc. They also provide for medical relief in the rural areas by the construction and maintenance of dispensaries, etc. They look to the improvement of the public health of the localities, provide for sanitation and conservancy and drainage and shall make similar arrangements for the *melas* and fairs. They undertake all work for the prevention and cure of cattle disease. They also look after the spread of primary education in the villages by maintaining free primary schools, or by giving grants to such schools. They help the campaign for adult education by starting schools and maintaining libraries or reading rooms. They may keep a register of births and deaths, and may undertake measures for the improvement and development of cottage industries, or such other duties as are entrusted to them by the District Boards. Lastly, many of them have been entrusted with judicial powers to try petty offences.

In some cases, the functions of a village Panchayat have been divided into two groups, obligatory and optional. We are describing both types of functions from the Panchayat Act of the M.P., and these are similar in other States as well. The compulsory functions comprise (*i*) sanitation and conservancy including the cleaning of village streets, (*ii*) medical relief and first aid, (*iii*) the supply of water for drinking, bathing and washing purposes, (*iv*) registration of births, deaths and marriages, (*v*) construction and maintenance of roads, (*vi*) reporting of encroachments on roads and public places, (*vii*) maintenance and repair of any building and property vested in it, (*viii*) prevention of outbreak of any infectious disease, (*ix*) filling in of disused wells, insanitary ponds, pools, etc., (*x*) making of crop experiments and (*xi*) reporting of breaches of the Child Marriage Restraint Act. The optional functions include (*i*) the lighting of village streets, (*ii*) the construction and maintenance of markets, public latrines, burning *ghats* and burial grounds, slaughter-houses, etc., (*iii*) vaccination, (*iv*) establishment of maternity centres and child welfare centres, (*v*) construction and maintenance of play-grounds, public gardens, *sarais, dharamsalas,* rest-houses, granaries, etc., (*vi*) spread of education, maintenance of village libraries, reading rooms, (*vii*) control and management of cattle-house, *ghats,* public ferries, fairs, etc., (*viii*) relief of the destitute and sick and maintenance of works or provision of employment in times of scarcity, (*ix*) statistics of unemployment, (*x*) improvement of agriculture, promotion of co-operative farming, promotion of agricultural credit and of measures to relieve agricultural indebtedness and poverty, (*xi*) promotion of cottage industries, (*xii*) regulation of dangerous or offensive trades or practices etc.

Sources of revenue.

Sources of revenue. The income of these Boards is derived mainly from the tax on land and buildings. This rate is imposed on all owners or occupiers of land or buildings in the rural areas. (2) The second source is the receipts from pounds and ferries. (3) The third source is the fees and fines for the issue of licenses to control dangerous or offensive trades, and the receipts from the village Court. (4) The Panchayats may levy a tax on fairs and festivals, a pilgrim tax; a tax on sales of goods; an octroi. In the Punjab, the Panchayat may levy, with the previous sanction of the government, any tax which the State Legislature has the power to impose. Lastly, the Panchayats receive grants from the government and the District Boards or *Janapadasabhas.*

The funds may be spent by the Panchayats for the efficient discharge of their functions. They spend money on the maintenance of village roads, bridges, etc.; for drainage and other sanitary and conservancy arrangements; on provisions for water-supply; on the maintenance of village schools and dispensaries; on the pounds and ferries; etc.

Control of the government over local bodies.

Relation of Local Bodies with the Government. The control exercised by the government over municipalities, district boards, and Panchayats is more or less similar in all States. The government fixes the number of total members of each local body, provides for the reservation of seats for the Scheduled Castes and nominates a portion of the members in States which will retain the system of nomination. In exceptional cases, the government may appoint the Chairman of these bodies. The Commissioner, or the District Magistrate, or any other officer authorised by them may call for, and inspect all books and proceedings, and any immoveable property of these local bodies. The government may annul any proceedings not in conformity with law. The Commissioner or the Magistrate may suspend the execution of a resolution or an order which is in excess of the powers of the local body, or which is likely to lead to a serious breach of peace. Lastly, the government may suspend a local body in cases of gross mismanagement or neglect of duties. In the case of Panchayats, the District Boards or Councils also possess the power to superintend their administration.

The status enjoyed by the big corporations is, however, different. These enjoy considerably large measures of autonomy than the other local bodies.

A Review of the Working of Local Bodies. It is the usual practice to say that the local self-governing bodies in India have not been successful. This is not a correct statement. There are many local bodies which have worked successfully. Many of them have provided better medical facilities within their areas. They have improved the water-supply and have established compulsory primary education. Many of them have been genuinely inspired by a desire to serve the public and to make their town or the village the most beautiful in the country.

They have not achieved much.

But that there are serious defects in the working of the local bodies in India cannot be denied. Most of the local bodies spend a meagre amount on the spread of medical facilities. There is an absence of proper drainage in the villages and the towns. The incidence of malaria and other diseases proves the failure of the public health measures undertaken by the local bodies. The villages suffer from lack of good drinking water in adequate quantities. Free compulsory education has been introduced only by a few local bodies. The growing complexities of social life in modern ages have raised important problems for the local bodies. And they have been unable to solve them satisfactorily.

Defects in their working.

The achievements of the local bodies have not thus been commensurate with the expectations. The working of many of them has revealed serious defects. The members of some of the local bodies have often shown a tendency to interfere unduly in the details of administration. They have not always provided themselves with the services of well-paid and efficient staff. Jobs have often been given to persons, not because they possess the best qualifications, but because they have a pull in the party, or are the relations of the Chairman or the influential Commissioners. Members of the local bodies have shown an undue nervousness to deal with violations of the municipal rules, or a persistent default in paying the rates.

Difficulties of local bodies.

These defects and the paucity of results have been due primarily to two causes, namely, lack of funds and the lack of proper civic spirit. The local bodies do not possess adequate funds to carry out their functions. They have been entrusted with only a small number of inelastic sources of revenue. The yield from these sources is completely insufficient to meet their needs. For example, fifty per cent of the funds of the Union Boards in W. Bengal is absorbed in paying the salaries of the *chowkidars* and *dafadars*. What remains after meeting the cost of the office establishment is too small for the growing needs of the rural areas. It is often said that the local bodies have themselves to blame for this paucity of funds. The members have often shown an undue nervousness to levy additional taxes. A second difficulty is the absence of proper civic spirit among the people. They are not conscious of their duties to the community. They are apathetic or indifferent. They do not take the trouble to study the local affairs. They are too much given to factious quarrels. "Local politics" is now a term of reproach as a result of this absence of the civic spirit among the people.

Steps must be taken to remedy this state of affairs. These local bodies can do an enormous amount of good to the people under their charge. Means must be found to augment the resources of these bodies. The government should grant more funds, and the local bodies should try to tap additional sources of revenue. Our attitude towards taxation is born out of centuries of foreign rule. We look upon taxes as unwelcome exactions from our meagre incomes to support an expensive foreign administration. This attitude should go. The people must learn to tax themselves, and demand increased and improved services from their self-governing institutions. The big municipalities may adopt "municipal trading" functions, run gas or electric supply concerns, or local transport systems, and thereby augment their resources. Above all, it is supremely important to make the villager more civic-conscious, and to rouse his civic spirit. This is reduced ultimately to an educational problem. The people must be properly educated and trained in their civic duties. We must instill in them the hope and confidence of a better life, of a city beautiful, or a village beautiful.

How can they be removed?

Conditions for the successful working of local bodies: Why is it that the local bodies of our country have not been working successfully? The main reason is that the conditions for the successful working of local bodies are not present in India. What are these conditions?

The first condition is that the people must be fully conscious of their rights and duties. They must be good citizens, and possess all the qualifications necessary for good citizenship. In other words, they must be intelligent and active citizens, and should perform their duties. They must learn to subordinate their self-interests to the general interests of the community. If the citizens do not perform their duties conscientiously; if they are apathetic or indifferent to the local affairs; if they are too much influenced by factious quarrels, local bodies cannot be worked successfully.

A second condition is that the people should be properly educated. An illiterate population cannot be expected to run the local bodies efficiently. The people must be trained in their civic duties.

Thirdly, the organisation of the local bodies must also be satisfactory. They should be organised in such a way as to possess a large measure of autonomy, the State retaining control over only certain essential matters. Until recently, our local bodies did not possess much autonomy, and were controlled almost at every step by the District Magistrate.

Another condition for the success of local bodies is that they should have adequate funds at their disposal for the performance of their functions. Unless local bodies possess adequate funds, they would not be able to pay proper attention to the task of providing the necessary amenities to the people.

Unfortunately, all these conditions are absent in India, and this explains the lack of success which has attended the working of the local bodies.

CHAPTER 20

SOME PROBLEMS OF LOCAL BODIES

We have discussed the organisation and the functions of the local self-governing institutions of our country. These local bodies affect the life of every citizen in a more intimate manner than the government of his country. They look after his health and education, they provide him with such necessaries as his drinking water. Much, therefore, depends on the proper working of these institutions. The working of these local bodies will be conditioned by the nature of the problems they have to face. In this chapter we are going to discuss some of the important problems which the local bodies, or the citizens will have to face both in the rural and urban areas.

Problems of rural reconstruction.

Civic Problems in Rural Areas. The vast majority of the population of India live in the villages. Hence the importance of the study of the problems of these villages is obvious. Re-building of the village life will mean the uplift for practically the whole country.

But the condition of the people who live in the villages presents a very sad picture. Most of them are illiterate. They are steeped in poverty. So their standard of living is extremely low. Ill-fed, ill-clad and ill-housed, they lose their vitality and are a prey to various diseases, the most important of them being malaria. To make matters worse, they do not possess any knowledge about personal hygiene. Their habits of living are insanitary. Poverty for generations has made them apathetic and resigned to their lot.

Universal, free education for children and adults.

Education. Few things are so important in India as the building up of a happy, prosperous and cultured village life. For India means the villages. The first task of any local body or of a citizen is to spread education among the masses. Those who give education give the best thing in life to a person. With the help of the government, the local bodies should take immediate steps to introduce universal and free education for the boys and the girls. Adult education centres and night schools should be opened in the villages for teaching the adults. To encourage the local bodies to do this, the government should publicly praise, and award suitable rewards to, the authorities of those bodies which succeed in educating all their people within the shortest period of time. Provisions should also be made for introducing technical instruction in the villages, especially in improved methods of agriculture and of handicrafts.

Housing and drainage.

Public Health and Sanitation. After education comes the problem of health and sanitation. Health is the basis of all activities. Public health in the villages is very low. Local bodies or the citizens should try to adopt various measures to solve the problem of health and sanitation. First comes the question of housing. Though the problem of housing is not as acute in the villages as in the cities, the villages have still a housing problem to solve. In villages, the houses, often mud huts, are built close together. They are constructed as if on purpose to shut out air and light. Odd lanes strewn with the sweepings of the houses connect them. There are open drains close to the vicinity of these houses, where dirty water is collected, and which are the breeding places of mosquitoes and other insects. These are not conducive to good health. Local bodies should encourage the planning of villages. They should teach villagers to erect well-ventilated houses on broad and straight roads. These roads should be constructed and maintained in good condition by them. They should teach the villagers, or insist that they should keep their houses clean and deposit the refuse at a distance from the houses. They should reclaim the marshes, and construct a proper system of drains in the villages.

The village beautiful.

Water-supply. The problem of water-supply has become acute in the villages in recent times. Many villages do not possess a sufficient supply of good drinking water. Villagers do not always take proper care about the quality of water they drink. Often they have no choice but to drink dirty water. The main reason is that the old tanks in the villages are dying out. New tanks are not being dug. The small rivers have been, or are grown with water-hyacinths. To solve this problem of water-supply, the local bodies should take steps to re-excavate the old tanks. With the help of grants from the District Boards and the government, they should dig new tanks and wells. Strict watch should be kept over these tanks lest their water might be contaminated on account of the ignorance of the villagers. The people must be given suitable lessons in sanitation so that they should not use the banks of the ponds as latrines, or wash the clothes of a cholera patient. Public opinion in the villages should be organised against such practices. Local bodies should also construct tube-wells to supply good drinking water.

Health education.

Above all, the most important necessity is to make the citizens health-conscious. Local bodies should organise health exhibitions from time to time to teach sanitary habits to the villagers. The children and the adults should be taught personal hygiene in their schools and should be induced to adopt healthy habits, and give up insanitary practices like throwing the sweepings of the house and dirty water on the roads, or using street corners as urinals and latrines. For the cure of diseases, the local bodies should start more hospitals and dispensaries, and make proper provisions for the vaccination and inoculation of the people on a more liberal scale than before.

Starting of libraries etc.

No scheme for rural reconstruction will be complete unless it makes provision for rekindling the interest of the people in village life. Life in the villages is too narrow, and too devoid of any cultural or intellectual facility. Local bodies should start and maintain libraries and reading rooms, well-stocked with books, periodicals and newspapers. Where resources permit, they should try to provide some musical and other entertainments for the people.

Any improvement in the conditions of the villages will be impossible of achievement unless the people have higher money incomes. Schemes for the improvement in the economic conditions of the villages do not fall within the sphere of activities of the local bodies. Local bodies may, however, help even in this sphere. They may organise fairs and exhibitions to popularise improved methods of cultivation, manuring, etc. They may encourage the citizens to form co-operative societies for the sale of crops and the purchase of requirements of the villagers, etc. Local bodies can thus play an important part in the rebuilding of village life, and in rousing the civic sense among the rural classes.

Civic Problems in Urban Areas. The problems of the towns and cities are nearly similar to those of the villages. They are on a bigger scale in the cities. But these urban areas have one advantage over the villages. Cities are the centres of commerce and banking. They contain a large population and large resources. Water-works, drainage or tram cars are paying proposition when they serve a large population.

Housing. The special problem of cities is housing. The growth of towns and cities has been haphazard in India. As a result there is too much overcrowding in them. There is a dearth of good houses in these areas. The poor are, therefore, driven to live in *bustees* or *chawls.* These are dirty, congested huts or hovels with narrow lanes and miserable quarters. There is no proper ventilation; rooms are dark and admit no light or air. Large numbers of people live in one room; the husband, wife and children all living under the same roof. Sanitary arrangements are inadequate. Hence these *bustees* are responsible for the alarming spread of various epidemic diseases.

Housing problems in cities.

Municipalities should therefore try to solve this housing problem. They should build model houses and let them on low rent to the poor and the lower middle classes. A programme of slum clearance should be adopted immediately. The congested quarters should be opened up and rebuilt. Municipalities should consult the experts and adopt a suitable *town-planning scheme.* The congested areas and the suburbs should be developed on scientific

How to solve the problem?

lines. All new extensions and constructions should be carefully planned with straight and wide roads, extensive parks and playgrounds and superior sanitary arrangements. The ideal for every citizen should be to make his town or city the most beautiful in the country. Something to this effect has already been done in the big cities of Calcutta, Bombay, etc. The Improvement Trust of these cities have developed the suburbs on scientific lines, built new roads and have cleared the slum areas. But there is still much to be done.

Public Health. The next big task is the better organisation of public health and sanitation. The state of public health is very bad in our cities. Death rates per 1,000 population are 27.6 in Calcutta, 23.9 in Madras and 25 in Bombay against 9.9 in New York and 11.4 in London. Municipalities should therefore make better arrangements for keeping streets and parks clean, for the disposal of sewage and for the suitable drainage of areas under their control. They should establish dispensaries, hospitals, maternity homes, etc. They should employ qualified health officers and maintain an efficient health organisation with an adequate staff of vaccinators, sanitary inspectors, etc. They should manufacture their own typhoid and cholera vaccines. They should organise health exhibitions and child welfare centres to teach the citizens the rules of health and care of babies. Strict supervision should be exercised over the market, and adulteration of food-stuffs or the sale of rotten things should be strictly dealt with. The supply of pure food is one of the essential responsibilities of a municipality.

Sanitary arrangements.

Supply of pure food.

The problem of water-supply is also present in urban areas. Big municipalities have constructed water-works. Other municipalities should also construct water-works from their own funds, or from funds supplied by the government. They can also sink deep tube-wells.

Supply of water.

The supply of pure milk at low rates is one of the pressing problems of the municipalities. The available supply of milk is completely inadequate in big cities. The quality of milk is also very low. It is impure, and carries the germs of many diseases, like typhoid, diarrhœa, etc. Milk is an essential food for everybody, and especially for infants. Municipalities should take steps to ensure an adequate supply of pure milk. They may encourage the starting of Co-operative Milk Supply Unions on the model of the Society established in Calcutta. They may also encourage the establishment of private dairy companies under their supervision. The health officers and the sanitary inspectors should examine the quality of milk that is supplied, and stringent steps should be taken to punish all persons guilty of selling impure milk.

Supply of milk.

In this connection, it may be mentioned that municipalities may adopt many trading functions. In the western countries, many municipalities run concerns supplying electricity or gas, etc., to the citizens. The Indian municipalities have not yet started such trading. There is no reason why they should not try to explore the possibilities of municipal trading, like the supply of gas or electricity, or running dairy societies, or tram cars. These will enable the municipalities to augment their poor resources, and the profits can be utilised in providing better civic amenities to the people.

Municipal trading.

Last, but not the least, comes the problem of education. Indeed, it is the most important of all functions. Every municipality should introduce universal and free education within its area. It should not stop at that. It should establish libraries and museums which the children and the adults should be encouraged to visit. If possible, it should run cinemas and theatres. A municipal theatre can popularise the dramas of Kalidasa or Rabindranath Tagore. A municipal music-hall can teach the public to appreciate the great tunes and masterpieces of music. In these ways, the municipality can do much to raise the level of culture of the citizens, and at the same time provide cheap and wholesome entertainment, and add to their resources.

Education.

CHAPTER 21

EDUCATION AND PUBLIC HEALTH

There is no necessity to lay any stress on the importance of education in civic life. "First of all", said Aristophenes the just, "I place education". If a citizen is to discharge his functions properly, he must have education. It will enable him to cultivate his intellectual faculties, enrich his personality and promote the social good.

History of Primary education.

Primary Education. But unfortunately only a small percentage of the total population of India has been returned as literate by census reports. There has, of course, occurred a commendable increase in the figures of literacy during the last ten years. But in spite of that only 16 per cent of the population is literate in the country. So the masses in India do not know to read or write. The proportion of literacy in women is considerably smaller than that among the male population of the country. Even those who are returned as literate in census reports do not remain so after a number of years. Many of them again relapse back to illiteracy, having no opportunity afterwards to retain the knowledge they have learnt in their childhood. This lack of education has long been recognised as one of the fundamental weaknesses in our political life. Indian leaders have demanded, from very early times, the introduction of free and compulsory education in our country. The late Mr. Gokhale introduced as early as 1911, a bill in the Imperial Legislative Council, providing for compulsory primary education in India. The bill had to be given up owing to the opposition of government which pleaded lack of funds. Education became a Provincial subject since 1919, and was transferred to the control of ministers. There was again a revival of the demand for the introduction of free and compulsory primary education. The government made a concession in the shape of authorising local bodies to introduce free and compulsory primary education within their respective areas. A few local bodies took that bold step. But the vast majority of them do not possess sufficient funds for this purpose. So there was no appreciable increase in the spread of education among the masses. In Bengal, the government passed an Act in 1930, providing for the introduction of free and compulsory primary education in the villages. But very little was done under this Act to spread primary education, owing primarily to the unwillingness of the government to levy the education cess during a period of acute economic distress. With the introduction of Provincial autonomy in 1937, ministries in every province launched various adult literacy campaigns to educate the masses. The tangible result of this great drive was that the census figures for 1941 registered a record increase of 70 per cent in the literacy figures for all-India over those of 1931.

Bengal Primary Education Act of 1930.

It is necessary at this stage to examine provisions of the Bengal (Rural) Primary Education Act of 1930. The Act has been passed for the purpose of spreading free, compulsory education among rural people. In each district, where the government wants to introduce provisions of this Act, a District School Board will be established to control primary education. The Board will consist of a majority of elected members, and a portion will be nominated by the government. Funds required for working the schools would be obtained by means of an education cess to be levied in the district. The cess will be levied at the rate of 5 pice in the rupee on the total amount of rent paid by each cultivator or tenant, of which ½ pice would be paid by the zemindars. The scheme has been introduced in some districts.

Obstacles to the spread of primary education.

The main obstacle to the spread of primary education has been the shortage of funds. If education is to be made free and compulsory, the expenses of running so many schools must be borne by the government. But uptill now governments have not been willing to spare funds for this purpose. They have shown an extreme reluctance to practise economy, or to levy additional taxes to carry out different schemes of nation-building. This is as it should be. The British Government could not be expected to strive hard for the uplift of the people under their control.

Lack of funds.

Provided its own interests were safe, the foreign government always tended to follow the line of least resistance. It would not like to court unpopularity by levying taxes for causes which might ultimately go against its own interests. Free and compulsory education will now be introduced throughout the country as the powers of government have been transferred completely to popular control.

Bad schooling.

A second difficulty is with regard to the efficiency of the existing system of primary education in the country. The schools that have been established are of a very low order. Teachers are neither properly trained, nor properly paid. The two problems are interconnected. Unless you pay a good sum, you should not expect good men to come in. Lastly, another serious defect is the wastage involved in the system. The majority of pupils in village schools do not get any more education beyond what they learn in three or four years in their childhood. Having no opportunity to keep up their knowledge, they fall back into illiteracy.

The problem of wastage.

The problem is therefore two-fold. We must send a school master to every village, and we must send a better schoolmaster than before. Provisions should be made for training up teachers and the government should promise good pay to them. Stricter supervision should be exercised over village schools. The question of funds must be solved by practising retrenchment, or by levying additional taxes. Democracy and illiteracy go ill together. No stone should be left unturned to educate the masses in our country.

Wardha scheme of education.

Mention must be made of the *Wardha* Scheme of education framed by Mahatma Gandhi. The scheme has two-fold purpose. It wants to solve the problem of paucity of funds by making education self-supporting. Secondly, it wants to impart better training for life to the children, to make them conscious of the dignity of labour, and to make them useful members of the community. Children will learn any useful handicraft along with the three R's. The products turned out by them will be sold by the government, and proceeds will pay for the expenses of running the school. The scheme shows great possibilities of development, and had been introduced in a few provinces.

Secondary Education. This education is controlled by the Education Department of the government, and the universities or Boards of Secondary Education. There are three types of secondary schools, namely, the Middle Vernacular, the Middle English, and the High English Schools. The first two types of schools obtain grants from local bodies which exercise some supervision over them. High schools are under the control and supervision of the government and the universities. The government maintains a staff for the inspection of these schools, and exercises control over them through the grants-in-aid. The universities prescribe the syllabus and the course of studies, and conduct the final examination at the end of the school stage. In some States, Boards of Secondary Education have been established. These Boards have been entrusted with the functions of both the government and universities in relation to these schools.

Boards of secondary education.

Education after the secondary stage is imparted in the colleges, the number of which exceeds three hundred in the whole of India. A certain number of colleges are maintained by government, while some others receive grants-in-aid from government. The majority of them defray their expenses out of their fee incomes, and from public endowments.

Colleges.

There are 32 universities in India. There are two types of universities,—purely examining universities and those which provide teaching and examining facilities. The Calcutta University belongs to the second type, while the universities of Patna, Agra, Nagpur, Orissa, etc. belong to the first type. There are also a number of residential universities, viz., Lucknow, Delhi, Allahabad, etc. The Banaras Hindu, the Aligarh Muslim and the Biswa-Bharati

Universities.

universities are under the control of the Central government, while the remaining universities are under the control of State governments. The Governor of the State is the Chancellor of each University. There is a Vice-Chancellor, who may be a paid or an honorary officer. The business of the university is conducted by a Senate or a Court and a Syndicate or an Executive Council, composed of elected and nominated members.

Education of Women. In recent times, an increasing urge is being felt for the education of girls in our country. With the spread of liberal ideas, there has occurred a distinct change in the social outlook of all classes of people. The unwillingness to educate the girls has given place, especially among the upper classes, to an extreme eagerness to send them to schools and colleges.

Why should the women be educated?

Education is as necessary for women as for men. No community can prosper if half its members are illiterate. There is no excuse for keeping anybody in ignorance. The right to education is the inherent right of every citizen, no less of women than of men. 'The hand that rocks the cradle rules the world." If that be the case, the owner of those hands must be thoroughly educated. The education of women is also a political and civic necessity. Women have been granted many political rights. Many of them possess the right to vote. In order to enable them to exercise these rights carefully, the State must impart suitable education to the girls. Moreover, the spread of education among girls will greatly help the spread of education among the masses. An educated mother will insist on educating her children, and if other means are not available, she will herself teach her children.

Existing institutions for female education.

Free and compulsory primary education must therefore be introduced for girls simultaneously with boys. This has been done where compulsory education has been introduced. Secondly, schools for girls have been established in nearly every district in different States. But these serve the needs of the town people, while the vast majority who live in villages possess no opportunity of getting secondary education. A few women's colleges have been established in all States. Some colleges admit women students to their classes equally with boys. There is a separate university for women in the Bombay Presidency.

These are clearly inadequate. In Bengal, the percentage of literacy among women is only 7, while it is 25 per cent among males. The best figure is in Travancore and Cochin where 34 per cent of the women are literate.

Defects of the present system of education.

Vocational Education. It has always been a serious criticism of the Indian educational system that it is too literary. It manufactures only clerks and public servants. It does not enable the students to earn their livelihood. The large number of students who pass out of the schools and colleges find that their educational equipment is often no help in the acute struggle for existence or for jobs. Hence it has been urged that India needs more vocational education instead of more education of the present type. The system of vocational education seeks to train up students for a particular vocation in life. The students are taught some art of industry, so that they can follow a particular occupation in their after-lives.

That there is some truth in this cannot be denied. But this is not the whole truth. Education has a purpose of its own. It enriches the mind, and helps one to develop his personality. The rich lore of the books is a perpetual joy to the inquisitive mind. Education has a value of its own, and a high value too even if it does not enable one to get comfortable jobs.

Why should there be vocational education?

But it is desirable that the system of education should be such as to enable pupils to earn their livelihood. Hence vocational education should also be incorporated in the educational system of a country. It is also necessary for another reason. The development of Indian industries has long been felt as an integral part in any scheme of reconstruction of our economic life. The development of industries will be considerably facilitated if the number of skilled technicians are increased. Vocational education will train up students, and will supply the men who are to run the industries.

Existing facilities for vocational education.

Facilities for vocational education are very inadequate in our country. We possess only 45 medical schools and colleges and only a small number of agricultural colleges, and a few agricultural schools. There are several engineering colleges and schools, one mining school at Dhanbad, only a few technical and technological institutes, including the Indian Institute of Sciences at Bangalore, several schools of arts and crafts. These are very inadequate to meet the needs of the country. Due to the exigencies of the last war, the government has introduced schemes for imparting technical training to a large number of boys, and many are being trained for this purpose. This is a welcome sign, and these schemes should not be abandoned with the advent of peace.

Public Health in India. Next to education, and perhaps more important than education, is the state of public health in a country. Health comes first. It is the basis of everything in life.

Existing state of public health in India.

Like education, the level of public health is very low in our country. Here statistics are more eloquent than any other statement. The average death rate is probably the highest in the world. It was 22 per 1,000 population in 1940 as compared to the rate of 9.4 in Australia, 11.2 in the U.S.A., and 12.4 in England. The rate of infant mortality is also alarming. Out of 1,000 children born in 1940, 160 died in India in infancy, while only 38 died in Australia, 54 in the U.S.A., and 58 in England. The total number of people who died of malaria in 1939 alone equalled the population of the city of Bombay. Preventible epidemic diseases are widespread in our country. The resistance of the population to diseases is very low. The incidence of tuberculosis is increasing every year. This low level of public health is reflected in the average expectation of life in our country. The average expectation of life in India is less than

27 years, while it is 63 in England and Germany and 67 in Australia.

Factors affecting public health.

The public health of a country depends on three factors,—namely, the standard of education, the standard of living, and the organisation of public health services in the country. Education enables a man to know how to keep healthy and how to prevent disease. He will know the principles of personal hygiene. Secondly, standard of living is a very important factor. A high standard of living will mean adequate and nourishing food, clean and healthy clothes, and decent sanitary houses. All this is bound to result in better health. Lastly, much depends on the proper organisation of medical relief in the country. Each of the three elements is as essential as the other.

All these are inadequate in India.

India suffers from a lack of all these three elements. Education is extremely limited in our country. We already know the percentage of literate people in India. This is already very low and a large section of even this low percentage does not possess adequate health education. The standard of living of the people is also extremely low. With an annual income of Rs. 65, the average Indian cannot afford to eat even ordinary food in sufficient quantities, not to speak of the various protective foods. Their diet is highly deficient. The result is poor health and high infant and female mortality.

Organisation of public health in India.

The public health service is inadequately developed in India. Public Health is now a State subject. The Central government has, however, retained an organisation, consisting of the Director-General, Indian Medical Service, and the Public Health Commissioner to co-ordinate the activities of the State governments, and to give advice on all public health matters. There is a Central Advisory Boards of Health to work in an advisory capacity. There are also certain institutions, *e.g.*, the All-India Institute of Hygiene and Public Health, the Malaria Institute, etc., to carry on research.

In States the preventive functions are looked after by the Director of Public Health, and medical relief is organised under the Surgeon-General in the three Presidencies and Inspector-General for Civil Hospitals in other states. Each district has at least one hospital with a Civil Surgeon. Bengal had 217 hospitals and 1,214 dispensaries and hospitals in India. There are only 42,000 doctors in India as compared with 61,420 doctors in Great Britain, a small country with a smaller population than India. There are less than 4,500 nurses in India as compared to 109,500 in Great Britain. Thus our public health and medical relief organisation is clearly inadequate.

Public Health in Rural Areas. The main problem lies in the rural areas. More than eighty per cent of India's population lives in the villages, most of which do not possess any doctor, or a midwife. Hence the most acute problem is how to bring medical relief to the poor villagers. In order to encourage the medical practitioners to settle in the villages, the Madras government has adopted the scheme of paying a subsidy of Rs. 50 per month to each practitioner. In Bengal attempts have been made to establish a peripheral unit for each 20,000 population consisting of a sub-assistant surgeon with a dispensary. In order to control epidemics and to prevent adulteration of food, sanitary inspectors with vaccinators have been appointed in a circle. The costs are borne by the government and the District Boards.

Other rural problems.

Attempts should be made to teach personal hygiene to the villagers. This cannot be solved unless they are educated, and unless their money incomes increase. The main disease in rural areas is malaria, and adequate measures must be taken to control the incidence of this disease. Next comes the question of nutrition. The Indian diet is deficient in many respects, especially with regard to animal protein. A solution of this problem will depend on nutrition research, and on an increase in the knowledge and incomes of the people.

Public Health in Towns. In the urban areas, the municipalities are authorised to appoint health officers. But only a few of them have done so. In undivided Bengal, for example, 27 out of 116 second class municipalities have appointed full-time health officers. Even these health officers have not been able to achieve any substantial result.

Bad housing.

In the towns and cities, there are certain other problems in addition to those present in the villages. The situation is aggravated by the bad housing conditions in the urban centres, and by the presence of a large labour force, especially in the factory areas. The various social insurance schemes (*e.g.*, workmen's compensation, maternity benefits, unemployment insurance, or sickness insurance, etc.) are parts of public health measures. Much has not been done in India with regard to the carrying out of these schemes.

Remedies.

The remedy lies in proper planning of public health measures. More and more medical men, nurses and health visitors should be trained and employed. The government should pass a Public Health Act to improve and extend the organisation. Above all, the economic and educational problems must be first solved before there can be any significant improvement in public health.

miracle

CHAPTER 22

INDIA, COMMONWEALTH AND THE U.N.O.

India and the Commonwealth. When the British Government transferred powers to India on the 15th August 1947, India became a Dominion in the Commonwealth of Nations. At that time, the Commonwealth consisted of those countries which were granted Dominion Status. These were Canada, Australia, New Zealand, South Africa and the Eire. All these countries were at one time governed by Great Britain. But in course of time, power was transferred completely to the hands of the governments of these countries. They came to be known as the Dominions, and the Status enjoyed by them was known as Dominion Status. The Status of the Dominions has been well defined in the Report of the Balfour Committee issued in 1926. The Dominions "are autonomous communities within the British Empire equal in status, in no way subordinate to one another in any aspect of their domestic or external affairs though united by a common allegiance to the Crown and freely associated as members of the British Commonwealth of Nations." In other words, each Dominion is a fully sovereign State, in no way subordinate to the British government in relation to either external or internal affairs. It owes allegiance to the King, who is equally the King of Canada, of Australia, etc. Even a change in the succession to the Crown or a change in his Style and Titles has to be approved by each Dominion. At the present moment there are six Dominions, *viz.*, Canada, Australia, New Zealand, South Africa, Pakistan and Ceylon. Eire has left the Commonwealth. India is not a Dominion, though she remains a member of the Commonwealth of Nations.

Meaning of Dominion Status.

The Commonwealth is therefore a free association of fully sovereign nations. Each member is completely independent in all respects. Each is free to leave the Commonwealth at any time it likes. In fact, the Eire has already left the Commonwealth and the other members have accepted that fact. Each member is free to enter into diplomatic relations with other countries of the world, to declare war and conclude treaties without involving or binding other members. The Eire remained neutral during the second world war when Great Britain and all other Dominions were at war. A distinction may be made between a Dominion and a member of the Commonwealth. The Commonwealth consists of the Dominions and other members. All Dominions recognise the King as the head of their government, and owe allegiance to him. The King is represented in each Dominion by a Governor-General who is appointed by him on the advice of the cabinet of each Dominion. India, which is a member of the Commonwealth does not, however, recognise the King as the head of her government and does not owe allegiance to him.

India and the Commonwealth.

India's position in the Commonwealth is therefore unique. She remained a full-fledged Dominion till the 26th January, 1950, when the new constitution came into effect and she became a republic. As a republic, India does not recognise the King as the titular head of the government. The King does not appoint a Governor-General in India as he does in other Dominions. The head of the government in India is the President who is elected by the members of the legislatures. The Indian constitution nowhere mentions the King in any place. India does not render any allegiance to the King. But she has recognised the King as the Head of the Commonwealth and the Symbol of its unity. In this way a compromise was arrived at between the ideas of other Dominions and the requirements of the Indian constitution, and this compromise was accepted by India, Great Britain and other Dominions though India is not a Dominion. She is a full and equal member of the Commonwealth, and India's membership has been approved by the Indian Parliament.

During the years of struggle for the independence of India, there was a widespread feeling in our country against Great Britain, and many people expected that on achieving independence, India would leave the Commonwealth. In fact, when the decision to remain a member of the Commonwealth was announced, it aroused a feeling of mixed reception in the country. But when the question is considered thoroughly there can be doubt about the wisdom of Sri Jawaharlal Nehru's decision. The fact that each member retains its membership of the Commonwealth though it is free to leave it at any time shows that the membership of the Commonwealth has solid advantages. We have many common ties with the Commonwealth, and membership in the Commonwealth does not bind us in any way, nor does it force us to act against our wishes. On the other hand, it enables us to have consultations on various common problems with other friendly nations. The meetings of the Prime Ministers of the Commonwealth countries, held from time to time, provide a clearing house of information where the Prime Ministers exchange their ideas on the important topics.

India and the U.N.O. India is an original member of the United Nations Organisation, and took an active part in its establishment from the very beginning. She has also joined other international bodies, like the I.L.O., the permanent Court of International Justice, the U.N.E.S.C.O., the International Monetary Fund, the International Bank for Reconstruction, etc. India is taking an active part in the working of these organisations. She was elected for two years as a non-permanent member of the Security Council in 1940. She has been given a permanent seat on the Governing Body of the I.L.O., and of the International Monetary Fund. Her representatives have also been elected Chairman or President of some of these international bodies.

The U.N.O. has been set up for the prevention of war and the preservation of peace among nations. Its success in achieving these objectives will depend on the support given to it by the members. And the more members join this organisation, and pursue its objectives, the greater will be the chances of its success. From this standpoint, India has done the right thing in joining this organisation. It shows that India is pulling her weight in the cause of maintenance of world peace. In addition, India derives several advantages from her membership of the U.N.O.

Advantages of joining the U.N.O.

and its auxiliary associations. As a member of the U.N.O., India will be able to bring any threat to peace both on her borders and in other parts of the world to the notice of the Security Council. In this way she may help in bringing this dispute to the notice of other countries of the world, and in focussing world opinion on that issue. India has always espoused the cause of all backward subject countries and has striven by every means open to her to enable these countries to achieve independence. She has championed the cause of Indonesia and is now lending her support to Tunisia. Her membership of the U.N.O. enables her to bring some pressure upon this Organisation in this direction. She has been able to bring the South African question before the bar of the world opinion. It is through her successful attempts that other countries of the world are awakening to the dangers and inequities of the policy of apartheid or racial segregation pursued by the Malan Government in South Africa. The U.N.O. has not of course achieved much, nor has it always acted according to the high principles embodied in its Charter. This has been due to the unfortunate division of the major countries into two blocs,—one dominated by Anglo-America, and the other by Russia, and to the intricacies of power politics. But one's dissatisfaction with the working of the U.N.O. does not lend any ground for the severance of India's membership from that organisation. We do not gain anything by this type of non-co-operation, while there is a possibility of achieving at least something by remaining within the organisation and applying pressure upon others. After all, we have achieved something by being able to rally world opinion against the racial policy of South Africa. Moreover, India is able to secure a great many advantages from her membership of the auxiliary international bodies. As a member of the World Health Organisation (W.H.O.), India is receiving considerable help in men, materials and information in combating various diseases. She is also getting valuable aid from their membership of the I.L.O., the I.M.F. and the World Bank, the U.N.E.S.C.O., etc. The I.L.O. has sent experts to give advice on the various technical points connected with the labour problems in our country. The

World Bank has granted large loans for financing various schemes of development in India.

Moreover, the membership of the U.N.O. does not involve any material burden on India. Every member country has to renounce war as a means of settling disputes on joining the U.N.O. This is the most important obligation of the membership of the U.N.O. India has already renounced war as a means of settling international disputes. This is an integral part of her foreign policy, and she took the Kashmir issue before the Security Council solely for carrying out this policy. So in this respect India does not stand to lose much by remaining in the U.N.O. A second obligation is that as a member, India should be prepared to carry out the decisions and resolutions of the U.N.O. But a member is also free to refuse to carry out any such resolution if it considers it as unjust. So this obligation is not likely to thwart our policy. The only material burden is the fact that along with other members India has also to contribute towards the expenses of running the U.N.O. But the sum involved is not large, and this certainly provides no argument in favour of severing our relationship with the U.N.O.

Jawahir Sarup PhD
Satteo
Chandran Physics
Shitalnam
Srivastava

PART III

ECONOMIC AND SOCIAL CONDITIONS OF INDIA

CHAPTER 1

NATURAL RESOURCES AND POPULATION

The citizen has by this time acquired some knowledge about the elementary principles of civics. Since he is a citizen of India, he should also know something about the economic and social conditions of his own country. He will often be called upon to find a solution of the many economic and social problems of India. Hence he must make a study of the economic and social conditions.

The fundamental fact about our economic life is that India is a rich country inhabited by a poor people. Our country is rich in natural resources. But the poverty of the people is proverbial. The fundamental causes of this poverty are due to the economic and social conditions prevailing in our country.

Soils.

What are the natural resources of India? India has an area of 1·5 million square miles, equal to Europe without Russia and France. She possesses large areas of rich soils. The alluvial soils formed by the alluvial deposits of the great rivers are found in the greater parts of the Punjab, the U.P., Gujrat, Rajasthan, Bihar, West Bengal, Assam and the Eastern and Western coast strips of the Deccan. These soils are very fertile and grow a large variety of crops. The other important kind of soil is known as the trap soils, found in the whole of the Deccan, greater part of Bombay, Berar, the western part of the M.P., and Hyderabad. Black cotton soils of the Deccan fall in this class. They are so called because they are black in colour, and grow large quantities of raw cotton. The third variety of soils is known as the crystalline soils, found in almost the whole of Madras, Mysore, South-East portion of Bombay, Eastern part of the M.P. and Hyderabad. They are not so fertile as the former two varieties.

Agricultural Crops. As India possesses soils and climates of almost all types, she normally grows a large variety of crops.

These have been usually divided into two classes,—food crops and non-food crops. In 1948-49 the total sown area in India was 248 million acres, of which food crops were grown over 212 million acres, *i.e.*, about 85 per cent is under food crops.

Food Crops. Among food crops, *rice* stands first as nearly 29 per cent of the total sown area (*i.e.*, 72·5 million acres) is cultivated under rice in the different States. 9·4 m. acres in West Bengal, 13 m. acres in Bihar, 10·4 m. acres in Madras, 8·6 m. acres in the U. P., 8·8 m. acres in the M. P., about 14 m. acres in Assam and Orissa, and 2·8 m. acres in Bombay are cultivated under rice. It is the staple food in W. Bengal, Assam, Orissa and Madras. Though such a large area is devoted to rice, India's total output of rice (about 22·6 m. tons in 1948-49) is not sufficient for her requirements, and she has to import large quantities of rice from Burma (about 1,207,000 tons in 1940-41). She also exports small quantities of rice (about 1 per cent of her production) to Ceylon, Arabia and other African territories.

Rice.

The next important crop is *wheat* which occupies only 9 per cent of the total area sown (*i.e.*, 22·3 m. acres). 2·75 m. acres in the East Punjab, 8·4 m. acres in the U.P., 1·0 m. acres in the M. P. and 1·1 m. acres in Bombay are cultivated under wheat. India produces about 10 per cent of the world's production of wheat, occupying the fifth position in point of importance. It is the staple food in the East Punjab, the U. P., Bombay, etc. India produced about 5·7 m. tons of wheat in 1948-49. Considerable quantities are exported to Burma, England, Iraq, Iran, etc.

Wheat.

The other food crops are *barley*, used as food both for man and cattle. It is grown chiefly in the U. P. (4·77 m. acres), Bihar (1·1 m. acres) and the East Punjab. Next in importance are the millets,—*jowar* and *Bajra*. These crops are used by the masses in Madras, Bombay and Hyderabad. About 14·5 per cent of the total area sown (*i.e.*, about 36·8 m. acres) and 8·5 per cent (19·8 m. acres) are under Jowar and Bajra respectively. In

Barley, Jowar, Bajra.

addition, India produces large quantities of pulses like *gram, ragi, maize,* etc. She also grows a large variety of fruits, *vegetables,* (like potatoes, onions, cabbages, etc.), *spices* (like pepper, chillies, ginger, cardamom, cloves, etc., grown chiefly in South India), etc.

Sugarcane.

Sugarcane is another important food crop. About 4·73 m. acres, *i.e.,* 1·5 per cent of the total sown area is devoted to the cultivation of cane. The chief cane-growing States are the U.P. (2·97 m. acres), Bihar (·34 m. acres), East Punjab (·36 m. acres), Madras (·26 m. acres), Bombay (·21 m. acres), etc.

Jute.

Cotton.

Fibres. The non-food crops consist of fibres like jute, cotton, oil-seeds like linseed, groundnut, etc., tea, coffee, tobacco, etc. About 5 per cent of the total sown area is under the fibres. *Jute* is India and Pakistan's monopoly. It is grown mainly in East and West Bengal (about 1·53 m. acres in 1940), and also in Bihar, Orissa and Assam. Large quantities of jute are exported to England, Germany, U.S.A., Australia, etc. India also grows large quantities of *cotton,* the area devoted for it being 11·3 m. acres (*i.e.,* about 4·5 per cent) in 1948-49. It is grown chiefly in Bombay (2·14 m. acres), Hyderabad (2·1 m. acres), M.P. and Berar (3·5 m. acres), Madras (1·6 m. acres). India occupies the second place in the world in respect of the area sown and total outturn, the first being America. But unlike American cotton, India grows mostly short-stapled variety, from which finer clothes cannot be woven. There was also a large export trade in cotton, Japan before the last war taking nearly 60 per cent of the exports. India imports large quantities of cotton of long-stapled variety.

Oil-seeds. India grows a large variety of oil-seeds like *groundnut, linseed, sesamum, rapeseed, mustard, castor, cocoanut,* etc. 23·6 m. acres (about 10 per cent of the total area sown) is under oil-seeds. *Groundnut* is cultivated mostly in Madras (3·7 m. acres), Bombay (1·9 m. acres), Hyderabad and the M. P. (2 m. acres). *Linseed* is grown chiefly in the M.P. (1·12 m. acres), Bihar, U. P., Bombay and West Bengal. There is a large export trade in oil-seeds, which has been adversely affected by the last war as the continental countries of Europe constituted our principal buyers.

Tea.

Tea is grown chiefly in Assam, West Bengal, the Nilgiris in Madras, Dehra-Dun in the U. P., and Kangra valley in the East Punjab. In addition, India produces large quantities of *tobacco, coffee, cinchona, hemp, indigo, opium, rubber,* etc.

Thus we see that we are fortunate in our natural resources. We grow almost every variety of crops, food-crops, or raw materials. To the total amount of crops produced in the world, India contributes 23 per cent of jute, 50 per cent of groundnuts, and 40 per cent of tea and rice, over 25 per cent of tobacco, 20 per cent of sugarcane, 10 to 15 per cent of cotton, cotton seeds, wheat, and linseed.

We produce a very low output per acre.

But though we raise a large variety of crops, we do not produce much of anything. The average Japanese cultivator produces 2,307 lbs. of rice on each acre; the Italian farmer raises 3,000 lbs. of rice. But the Indian peasant obtains only 731 lbs. *i.e.,* about one-third of that in Japan, on every acre of land. Our average production of wheat per acre is only 652 lbs. against 1,508 lbs. in Japan and 1,688 lbs. in Egypt. The average yield of cotton in India is about 40 per cent of that in the U. S. A. Our efficiency in production is, therefore, very low.

Mineral Resources. We shall next study the available mineral resources of our country. The economic importance of a country depends, to a great extent, on the minerals located in that country.

Our principal minerals are coal, iron, manganese, mica, copper, gold, oil, salt, limestone, etc.

Coal.

We produce every year about 34 million tons of coal. About 82 per cent of the output is produced in Bihar and West Bengal, the most important mines being located at Jharia, Ranigunj, Giridih and Daltongunj. The other important sources are the Singerani mines in Hyderabad, M. P. and Assam. According to the Coal-fields Committee of 1946, the reserves of good quality coal amount to 700 to 750 million tons, and will last about 65 years at the present rate of consumption. Hence it is necessary to conserve the use of coal. The main trouble is that practically all coal is concentrated in the eastern parts of India; the western and southern parts do not possess any mine.

Iron.

India possesses the world's largest reserve of high grade *iron ore*. These ores are chiefly found in Singhbhum, Keonjhar, Bonai and Mayurbhanj States of Orissa, Barakar in West Bengal. The M. P., Bombay, Mysore, Madras and the Central Indian States also possess ores of good quality. At the present moment, only ores in Orissa, Bihar, West Bengal and Mysore are being worked. Others cannot be worked probably owing to the absence of coal and limestone in the neighbourhood. We produce annually 15,00,000 tons of pig iron, and output is increasing every year. A portion of the output of pig iron is exported to other countries.

Manganese.

India is one of the two main producers of *manganese* in the world, the other country being Russia. These ores are found in the M. P., Mysore, Madras and Bombay. It is used chiefly in glass-making, and in the production of steel, heavy chemicals and electrical goods.

Mica.

India is the world's largest producer of *mica* which is essential in the electrical industry, in wireless telegraphy, motor transport, steam engines, etc. The chief sources of production are Hazaribagh, Gaya, Munghyr districts and Giridih in Bihar where 80 per cent of the world's requirements of better grade mica is produced. The other sources are Nellore in Madras and Rajasthan.

Copper.

Copper is produced in Singhbhum in Bihar, but there are copper deposits in Madras, Garhwal and Almora in the U. P. and in Rajasthan. Our production of copper is, however, very small. *Gold* is produced from the Kolar fields in Mysore, and at Hutti in Hyderabad. We produce every year about 3,50,000 ounces of gold. Small quantities of *silver* are also produced in the Kolar fields. There are no known deposits of silver in India.

Salt.

Salt is produced from the brine water of the Sambhar Lake in Rajasthan and by the evaporation of sea water in other coastal provinces.

Oil.

Oil is produced in Digboi in Assam. But our oil resources are very insufficient. We do not produce even 1 per cent of the world's output of oil.

There are also good supplies of bauxite (from which aluminium is produced), chromium, illmenite, china clay, diamond, graphite, saltpetre, etc.

India is the world's largest producer of lac; she produces 80 per cent of the world's requirement of sheet and bloc mica, about 30 per cent of the world production of manganese ore. In total reserves of iron-ore deposits, she occupies the third position in the world, after the U.S.A. and France. But we do not produce lead, zinc, tin, nickel, wolfram, etc. Petrol is practically non-existent. But no country in the world is self-sufficient in all minerals. A most disturbing theory is that Indians have taken very little part in developing these minerals.

Oil.

Power Resources. Power is mostly derived from coal, oil or water-falls. We already know our coal and oil resources. The difficulty with our coal is that it is not evenly distributed over the whole country. With regard to oil, we do not possess any important oil-fields. Our total production of oil in Digboi is scarcely equal to ·1 per cent of the world output. Efforts should be made to remedy this defect by producing power alcohol from molasses, a by-product of white sugar, and to manufacture synthetic petrol from coal.

Hydro-electricity.

The other important source of power is *hydro-electricity*. At the present moment, hydro-electric power is available at the waterfalls of the U.P., the Mandi hydro-electric scheme in the E. Punjab, the Tata and Andhra Valley schemes in Bombay. the Mettur in Madras and the Cauvery falls scheme in Mysore. The hydro-electric plant at Sivasamudram in Mysore supplies electricity to the Kolar gold fields, Mysore and Bangalore cities and 200 other towns and villages in Mysore. The Kashmir Durbar has also established another plant on the river Jhelum. The Hyderabad State has also started several hydro-electric schemes. There is an immense scope for the development of hydro-electricity out of the many waterfalls of India. Our estimated resources in water power are exceeded only by those of the U.S.A. But while the latter country has developed about 33 per cent of its resources, we have developed barely 3 per cent of our resources. It is necessary to develop these as the supply of cheap electricity will help the development of industries.

Types of Forests.

Forests. Forests constitute an important natural resource. About 10 per cent of the total area of India is under forests, 40 per cent of the land in Assam is under forests and 9 to 14 per cent is under forests in West Bengal, Bombay and Madras. There are wet evergreen forests of teak, blackwood, bomboos and palms in the eastern coast of the Deccan, and the foot of the eastern Himalayas. Hill forests of deodar, pine, fir, oak, ash, etc., are found along the whole of the Himalayas. The deciduous forests of teak, sal, red sanders, sandalwood occupy the larger part of the Deccan. The tidal forests are situated along the greater part of the coast of India.

Economic importance of forests.

The contribution of forests to the economic life of the country is highly important. Scientists are of opinion that forests increase the rainfall. If forests are cut down indiscriminately in any part of the country, the rainfall will decrease. These also increase the fertility of the soil by preventing the erosion of the upper surface. Leaves of trees fall on the ground and are decomposed. This decomposed matter increases the fertility of the soil. Forests also supply raw materials to industries;—timber for wood work, firewood for fuel, bamboo for producing pulp, etc. Lac, turpentine, resin and certain essential oils are obtained from forests. They are also of great help to cultivators who use the forests as grazing ground for their cattle. The government also derives a large revenue from forests.

As deforestation reduces rainfall, it is necessary, therefore, to conserve the forests. The government has already started a separate department for this purpose. Forests have been classified into three groups for purposes of conservation,—Reserved, Protected and Unclassified. Reserved forests are very strictly conserved by the government. Control is less strict in the protected forests. There is practically no control in the third class of forests.

It should be noted that our forest resources are not large in comparison with other countries. 53 per cent of the land in Japan, 38 per cent of the land in Russia are under forests as compared to 22 per cent in India.

Fisheries. Though fish forms an important article of diet, especially in the eastern parts of India, her fisheries have not been developed in the same way as in Japan or Europe. The potential supply is large. The sea fisheries are scarcely utilised. There are pearl fisheries at Tuticorin and in the Gulf of Cochin.

Animal Resources. India possesses a large variety of animal life. The cow and the buffalo are used in agriculture and also yield milk. There are also goats, sheep, donkeys, camels. India's cattle supply is higher than that of many other countries,—about 67 cattle per 100 acres. Though India possesses some best breeds of cattle (*e.g.*, Hariana and Sahiwal of the E. Punjab, etc.), there has occurred a deterioration in the quality of the cattle.

This survey of our natural resources shows that Nature has been very kind to us. We possess immense natural resources. But unfortunately we have not succeeded in exploiting them to our advantage. So the vast majority have remained steeped in poverty in the midst of plentiful natural resources.

Population

Productivity depends on the available natural resources, and on the men who are to work with these resources. We already know something about our natural resources. Next we must study the question of population in our country.

The total population of India is 356·8 millions (35·68 crores) according to the census of 1951. India is the most populous country in the world, and holds nearly one-fifth of the total world population. While the total number is certainly stupendous, it is not the number, but the rate of growth of population that is highly important to a student of civics. Another significant thing is the distribution of population between different occupations.

Growth of Population in India. According to the census of 1951, India contains 356 millions or 35·6 crores of people. Her population increased by 12·5 per cent between 1941-51 and by 15 per cent during the period 1931-41. It has been stated that this rate of growth is alarming in view of the fact that we do not possess sufficient resources to support such a huge population. These people are of opinion that though the Malthusian theory of population has been falsified by the large-scale development of industries in the west, it is true in the present conditions in India.

Is India over-populated?

Malthus stated that population had a natural tendency to increase. We know that this was not true with regard to the western countries where rising standards of living have been followed by a fall in birth rates. But in India no such tendency is visible. Marriage is more or less universal in India. Of all countries in the world, India has the highest proportion of married people for both sexes. Excepting one or two countries, India has also the highest birth rate in the world, *i.e.,* 34·3 per 1000 of population. That is, every thousand people in India give birth to about 35 babies every year, whereas in England only 15·5 babies are born per 1000 of population. Such a high birth rate shows that the population of India is growing unchecked. The preventive checks of Malthus, *i.e.,* abstention from marriage, late marriage etc., are virtually absent in India. The age of marriage is, of course, rising. But this has not yet affected the birth rate. The birth control methods, the use of which keeps down the birth rate in the west, have not been adopted in our country. Many economists are of opinion that the food supply has not increased in proportion to the growth of population in our country. As one writer has pointed out that between 1901 and 1931, the population has grown by 17 per cent, but the total area under cultivation has increased by only 10 per cent. If productivity in agriculture remains the same,—and it has not changed materially,—there is no doubt that population has outgrown the available food supply. This tendency has been further accentuated between 1941-51, when the population increased by 12·5 per cent. The food supply has not increased in the same ratio. Hence there is a definite shortage of foodstuffs in the country. When this happens, Nature will take a hand according to Malthus, and carry off the surplus population. Positive checks like epidemic diseases, famines, etc., will come into operation and death rates will be very high. This is also true with regard to India. The average death rate is very high in our country. Of every 1000 people, about 24 die every year against 12 in England and 18 in Japan. Epidemic diseases, like cholera and small-pox, are rampant in our country. Large numbers of people live on the verge of starvation. All these indicate that more people are born in our country than can be adequately supported.

In fairness we must point out that there are also other people* who are of opinion that our country is not overpopulated. Our industries have made, and are making rapid progress. The total production of wealth has in fact increased by a larger percentage than that of the growth of population. But high birth rates, high death rates, low standard of living, backward industrial conditions ;—all these undoubtedly point to over-population. It is time that our entire resources should be utilised, not to support an ever-increasing population at a miserable standard of living, but to increase the standard of living of all classes of people so as to give them a reasonable chance of a healthy, cultured and full life.

Occupations. According to the census of 1951, 69·8 per cent of the people of India live by agricultural operations. The percentage of workers engaged in industries is only 10.38 of which only 1·5 per cent are supported by organised industries. The rest are engaged in small, unorganised industries. India has the highest percentage of people dependent on agriculture. In England, only 8 per cent of the people live by agriculture and 58 per cent depend on industries. This is one of the most serious defects of our economic life. We all know the Sanskrit Sloka which states that Lakshmi, the Goddess of wealth, bestows 100 per cent of her favours on those who engage in trade and industries, and only 50 per cent on those who live by cultivation. If we are so much dependent on agriculture, we cannot aspire to be as rich as the industrialised countries. It is necessary to reduce this excessive dependence on agriculture by the development of industries.

---

* For example, Dr. P. J. Thomas of Madras University.

Our backward industrial conditions are also proved by the fact that only a small percentage of our population live in cities and towns. Only 17 per cent of the people live in towns against 80 per cent in England and 56 per cent in the U.S.A.

Density of Population. Density of population refers to the average number of people who live in an area of one square mile. At the present moment, the average density of India is about 281 per sq. mile. Density is not uniform in different parts of the country. It is 827 per sq. mile in West Bengal. Bombay, Uttar Pradesh, Madhya Pradesh and Bihar have an average density of 323, 559, 163 and 574 respectively.

Factors affecting density.

What are the causes of this variation in the density of population? As India is predominantly an agricultural country, agricultural conditions are the most important influence determining the density of population. Among agricultural conditions we have to take account of rainfall, irrigation, fertility of the soil, configuration of the soil, the climate, etc. Population is densest in those areas like West Bengal, where the soil is fertile, the rainfall is abundant and unfailing, the climate is good and there is much level land. It is the least in Rajasthan where the soil is not so fertile, rainfall is very insufficient and irrigation works are absent. The present irrigation canals increase the density of population. The district of Lyallpur in the Punjab had a density of 7 in 1891. Canals were opened in 1892 in that district, and the density increased to 272 in 1911. Configuration of the soil is also an important factor. The most thickly populated areas are the level plain lands in West Bengal, Bihar, the U.P., and the sea coasts in South India. Hilly countries contain a sparse population. Places which get a good rainfall usually contain a large population. But why is it that Assam which gets the heaviest rainfall contains only 185 people per sq. mile? The climate of Assam is rather unhealthy and large parts of that State contain forests and hilly tracts.

Density of population also depends to some extent on industrial conditions. Large numbers of people live in those places where industries have been developed. Jamshedpur was a small village which contained a small population before the iron and steel factory was established. But now it contains a large population.

Causes of high birth rates.

Birth Rates. The average birth rate in India is about 24·8 per 1000 of population. It is a very high rate. Moreover, the average birth rate has declined from 32 in 1881-91 to 15·5 in 1931 in England, from 37 to 16 during the same period in Germany. But it has fallen by a small percentage in India. The main causes of such a high birth rate are the following. Marriage is almost universal in India. It is not only universal, it also takes place at a comparatively early age in India. To marry their sons and daughters at an early age is regarded as a religious duty by parents. The climate of India is also very hot, and so puberty is reached much earlier than in other countries. The absurdly low standard of living of the masses encourages indiscreet marriages and reckless breeding of children. All these causes lead to high rate of birth in our country.

Death Rates. The average death rate is also very high in India. 16 persons in every 1000 people die every year in India. In the U.S.A. and Canada, the rates are 9.6 and 9·2 per 1000 of people. Large numbers of people die every year of various epidemic diseases like cholera, small-pox, etc. Fevers including malaria account for a large percentage of deaths. Tuberculosis is taking an increasing toll among the population. The spread of so many epidemic diseases is due to the low resistance of people. People who are poor and ill-nourished, and who live in insanitary houses fall an easy prey to the various diseases. The insanitary habits of the masses are also an important cause of the wide prevalence of diseases.

Causes of high death rates.

Two outstanding features of the death-rates are the high *infant* and *female mortality.* The rate of infant mortality is as usual the highest in the world. In 1931-35, the rate was 171 per thousand births as against 65 in England and 51 in Sweden. One-fifth to one-fourth of the babies die before they are one year old, and nearly 45 per cent die before reaching the age of five. This shows a very lamentable state of affairs. Owing to the poverty of the people, children inherit a very low vitality and fall an easy prey to diseases. The insanitary habits of living and insanitary surroundings in which babies are born account for a large number of deaths. The absence of well-trained *dais* and midwives is also an important cause. The vast majority of villages do not possess good doctors. No wonder that our infants die in large numbers,—"to fatten the earth which cannot fatten them."

Causes of infant mortality.

The death rate among women of reproductive age (*i.e.*, 15 to 45) is also very high. In India, according to a very distinguished authority, about 100 women out of every 1000 die every year. Whereas female mortality is about 4 per 1000 in England, and even this rate is causing anxiety in that country. The custom of early marriage and consequent early pregnancy sap the vitality of a young wife, which is already very low due to extreme poverty

Causes of female mortality.

and malnutrition. Hence a large percentage of young wives die of child-birth, phthisis or some such complaint. The absence of skilled *dais* and good doctors in villages is another important cause. Moreover, female life is held cheaper in India than in the west. Not only men, but the women themselves neglect to take proper care of their health. That is why a large number of them die every year.

Expectation of life.

The result of such high death rates is that the average expectation of life is only about 27 in India. Every Indian can expect to live on average only upto the age of 27, whereas an Englishman expects to live upto the age of 61 and a New Zealander upto the age of 64.

Pardon

CHAPTER 2

AGRICULTURE

Agriculture occupies the most important place in our economic life. It provides occupation for more than 65 per cent of the total population of the country. Nearly 80 per cent of the national income of India is derived from agriculture. Secondly, it supplies nearly all the foodgrains and the raw materials which are consumed within the country. Thirdly, it furnishes important raw materials not only for the domestic industries, but supplies these to the industries situated in foreign countries. A substantial portion of India's export trade consists of raw materials which are brought by the foreign manufacturers. The prosperity of everybody is ultimately dependent upon agriculture. If agriculture fails, it is a bad day for everybody,—for the cultivators, zemindars, manufacturers, traders and the government. Our cultivator may be a poor man. But he occupies a very important place in the economic life of the country.

Importance of agriculture.

Organisation of Agriculture. How is the important industry organised? It is organised on a very small scale. The cultivator tills his tiny plots of land with the help of an ancient plough and a pair of bullocks. His health is not always good and so is his knowledge. His plough,—a small wooden instrument with a bit of iron to sharpen the end,—still retains the form given to it by his forefathers in long forgotten days. His bullocks are like him, weak and undernourished. As a result, the surface of the land is barely scratched. He is not, and cannot afford to be, particular about the quality of the seeds. For watering his lands, he depends mainly on the monsoons. In some places which are fortunate in possessing wells, tanks or canals, he draws

Organisation is inefficient.

water from these and pours it to his land. There are no fences round the fields to protect his crops from the stray cattle. He does not apply manures to his lands. A portion of these may, however, be left fallow to recover its natural fertility. There is no rotation of crops. As the harvesting season comes, he cuts the crops with his scythe, probably with the help of some labourers. But after months of such hard labour he does not raise much crops from his land as compared to farmers in other countries. Output per acre is probably the lowest in India. We shall now discuss the main causes of such low productivity.

Drawbacks of agriculture.

Defects of Agriculture. We have seen that India produces very low output on each acre of land. What are the causes of such low productivity? A study of the organisation of this industry will enable us to find out the causes of such low productivity.

Sub-division and fragmentation of holdings.

The most serious defect is that agriculture is carried on on a very small scale. The holdings are very small in size, and are, moreover, scattered in different parts of the village. This makes large-scale production and the introduction of machines impossible. As a result the output per acre is extremely low. Secondly, soils are dry; rainfall is uncertain and often inadequate. Irrigation works are insufficient. So crops cannot be grown in abundance due to the absence of sufficient water supply.

Lack of capital.

Thirdly, lack of capital lies at the root of most difficulties. We already know that the use of capital increases the productivity of labour. But very little capital is used in our agriculture. The cultivators are extremely poor, and so they do not possess enough money to buy good seeds, or better implements. Hence they do not get good crops. They still use the old plough, a pair of weak bullocks, and a few ancient implements. The tractor and other machines which have increased the yield from land in the western countries are practically unknown to our cultivators.

Absence of good seeds and implements.

They cannot afford to purchase manures for their land. Cowdung which is easily available in the villages is, however, burnt in the form of cakes. The cultivators have no money to buy any other kind of fuel. Unless land is properly manured, it will not grow large crops. The fertility of land will decrease for want of manures.

No manure is applied to land.

Fourthly, owing to the lack of capital, cultivators are often forced to borrow from village mahajans. The latter charge very high rates of interest. Unable to pay such high rates or to repay the principal, cultivators sink deeper in poverty. And because of their poverty, they do not possess any capital, and so are unable to adopt improved methods of cultivation.

Rural indebtedness.

Fifthly, the marketing organisation is extremely defective. There are too many middlemen in the markets, who often cheat the cultivators. As a result, the peasant does not always get the proper price for his crops. So he cannot earn higher incomes, and suffers from lack of capital.

Defects in marketing.

Sixthly, he seldom follows any other secondary occupation during the time when there is no work in the fields. Otherwise he could have increased his income by working during the idle months.

Lack of a secondary occupation.

Lastly, our cultivator is weak in health as he suffers from malaria and other diseases. He is illiterate and often unambitious. So he does not always know anything about improved methods of cultivation. Hence our agricultural organisation is inefficient. Millions who toil on their scanty lands scarcely obtain anything to keep their body and soul together.

The illiteracy and weak health of cultivators.

Remedies. A study of the defects will enable us to find out proper remedies for the improvement of agriculture in our country.

Consolidation of holdings.

First, the problem of sub-division and fragmentation should be solved by the *consolidation of holdings* by law, or by the co-operative method as in the Punjab, or if we have the courage, we can organise collective farms on the co-operative model.* Secondly, more *irrigation works* like wells, tanks and canals should be constructed to supply water to the land. The problem of Indian agricultural development cannot be solved unless arrangements are made for the supply of adequate water at all seasons. Thirdly, *co-operative credit societies* should be organised on a large scale to supply loans at low rates to cultivators. The government should arrange for the distribution of good seeds among cultivators. The latter should be organised into *co-operative purchase societies.* These societies should purchase good seeds, improved implements, manures and better cattle on behalf of the cultivators, and distribute them among the members. The members will pay for these by easy instalments. The Department of Agriculture of the government should conduct suitable research and experiment to invent better seeds and improved implements. The government should grant *takkavi* loans more liberally and distribute them among the cultivators.

Co-operative societies.

To supply manure to the fields, villagers should be educated not to use cowdung as fuel. The government should take steps to supply cheap wood and other kinds of fuel at low rates to cultivators. Night soil should be collected in pits, and utilised for manuring fields.

Co-operative sale societies.

Fourthly, *co-operative sale societies* should be organised in villages to help cultivators in selling the crops. Or a single co-operative society should be organised which would grant loans, market the crops, build godowns, purchase good seeds, manures and implements, etc. Such a *multi-purpose society* should also do other rural reconstruction work, like the starting of schools, preaching of sanitary habits, etc.

---

* See Sub-division and fragmentation.

Education of peasants.

Above all, there is an urgent need of educating the peasants. For, no improvement is possible without a wide diffusion of education among masses. Primary schools should be started in all villages. The curriculum of study of these schools should include agricultural subject. Steps should be taken to teach improved methods of agriculture to cultivators.

Sub-division and Fragmentation of Holdings. In India agriculture is organised on a small scale. While the average size of holdings is 62 acres in England, and 148 acres in the U.S.A., it is only 4 or 5 acres in India. It has been estimated that the average holding of land per family in West Bengal is about 4 acres, in Madras about 5 acres and in the M.P. about 8 acres. in the U.P. only 2·5 acres. Not only is the average size of the holding comparatively smaller in India than in the western countries, but each holding is seldom situated in one compact bloc. It is further sub-divided into smaller plots and each plot is scattered over different parts of a village. One writer found in Konkan that a single acre of rice-land had been further sub-divided into 9 separately-owned plots. Many of you must have seen, while going in a railway train, the odd shapes of the plots of land, sometimes only several yards in length and breadth. Each plot is separated from the others by boundary lines.

Increase of population and pressure on land.

Causes. The small size and scatteredness of plots are the two most serious defects in our agricultural organisation. The gradually smaller size of holdings is due primarily to two causes. The population of India has increased materially since the last 30 or 40 years. The percentage of total population which depends on land as the means of their livelihood has increased during this period. Hence the total number of men who live by agriculture has increased materially in our country. But the area under cultivation has not increased proportionately. As a result, each cultivator will have smaller plots than before. Moreover, with the gradual break-up of the joint-family system, cultivation is n longer carried on jointly. Each heir insists on dividing his paternal properties. Under the systems of inheritance prevalent in India, a man has usually many heirs. Under the Hindu law, all sons have equal shares in the ancestral property, while according to the Mahommedan law, all sons and daughters, parents and others get shares on the death of the father or son. So holdings are being continuously sub-divided. Scatteredness of plots is due to the fact that each heir wants a share in all plots, the original plots being situated in different parts of the village.

Laws of inheritance.

Defects. Small-scale cultivation is usually less productive than large-scale farming. Productivity in such small holdings as exist in India will, therefore, be smaller than elsewhere. The evils have been further aggravated by the scatteredness of plots. Secondly, much land is lost in boundary lines and paths round tiny plots. If these plots were in one compact bloc, the area lost in boundary-lines could have been cultivated and this would have increased the total produce from land. Thirdly, had the plots been situated in one place, a cultivator could have dug a well to supply water to his holdings. But one plot may be situated in the northern part, and another in the southern part of the village. It is no use digging a well to supply water to plots of land so far distant from one another. Fourthly, not only the construction of wells, but all kinds of agricultural improvements cannot be adopted by a cultivator of small plots, scattered far and wide. Lastly, there is a huge waste of time and energy as the cultivator has to walk from one plot to another in a different part of the village with his bullock and plough.

Remedies. Much depends on the proper solution of these evils. Two methods have been adopted in different States In the Punjab and some other States, *co-operative consolidation of holdings* has been tried. The idea behind this method is this. Suppose a cultivator has one plot of land in one part of the village and a second plot in a different part of the village. Another cultivator has a plot near the first plot of the first cultivator, and another in a distant part. If the second cultivator

Co-operative consolidation of holdings as in the Punjab.

can be induced to give his first plot to the first cultivator in exchange for the latter's second plot, the first man will then get two plots in one compact bloc. In this way, efforts are made, by the exchange of plots, to give each cultivator a compact holding in the place of his scattered plots.

Joint-farming.

Or the principle of *joint-farming* may be adopted. All farmers of a village may pool their holdings, and cultivate the land jointly. The land possessed by each cultivator may be taken as his share capital. And the crops, after being harvested, may be divided among them according to their share capital. In some States like the M.P., the Punjab, the U. P., governments have passed *Consolidation of Holdings Act*. Under these Acts, the authorities at first try to persuade cultivators to consolidate their small holdings into compact blocs. If a large majority of villagers (more than half the permanent right holders) agree to accept the scheme, others may then be forced by law to consolidate their holdings. Something has been done under these Acts. But this is not enough. At the rate at which consolidation is proceeding in these States, it will take several centuries to consolidate all holdings in India. Are we to wait for a few centuries more for such essential reforms, while the vast majority remain in abject poverty? Unless the size of holdings is larger than at present, it is idle to expect lasting improvement in our agriculture. On this point conditions in our country are similar to those that prevailed in Russia before the present revolution. Soviet Russia solved the problem in course of a few years by organising *"collective farms"*. Output has increased materially, and incomes of peasants have become higher on these collective farms where land is cultivated with machines lent by the State.

Consolidation of holdings act of the M.P.

Collective farms.

Irrigation

Another serious defect in our agricultural organisation is the dryness of soils. India possesses many kinds of soils suitable for the growth of different crops. But the most predominant characteristic of these soils is that these are dry and will not grow abundant crops without sufficient water supply. There are certain crops like sugarcane or rice which require a large supply of water. Monsoons do not favour all parts of the country equally. There are areas like Rajasthan where the amount of rainfall is very small. In other places rains are irregular and uncertain. Hence it is necessary to construct irrigation works to reduce our dependence on monsoons, and to supply water in sufficient quantities to thirsty lands.

Importance of irrigation.

Forms of Irrigation Works. Something has been done in this respect both by the people and government. In many areas, *wells* have been dug by cultivators. The chief well-irrigated States are the U.P., the Punjab, Madras and Bombay. The government has encouraged the digging of wells by granting *takkavi* loans to meet the cost of construction. There are about 25 lakhs of wells, irrigating about 30 per cent of the total irrigated area. Cultivators raise water from these wells in bags of leather with the help of bullocks. This water is then brought to the land in small drains. In the U.P., the government has constructed *tube-wells* which are operated by electricity, and supply water to the adjoining lands. About 1700 tubewells have been sunk with great benefit to the cultivators.

Wells.

Another method of irrigation is the digging of *tanks,* and has been followed in almost all States. These are most common in Madras which contains more than 35,000 tanks. Water stored in the tanks is supplied to neighbouring plots.

Tanks.

The most important method is the construction of *canals.* From time immemorial, Hindu and Muslim kings have dug many canals to help their subjects. The Government of India have also spent huge sums,—more than Rs. 153 crores,—for this purpose. Unlike wells or tanks, canals have been constructed mostly by the State. These are of three types. Sometimes a long chain of canals is cut out from a river. The bed of the canal is shallower than that of the

Canals.

river, and so water comes into these canals only when it rises above a certain level in the river. Hence these canals are full of water only during certain periods. They are known as *inundation canals.* A second type of canals is known as *perennial canals,* as these are constructed in such a way that they get water from the river throughout the year. The third type is known as *storage canals.* A huge dam is constructed across a valley. The rain-water which falls down the hills is stored in these places, being prevented by the dams from falling below. Stored water is then distributed by means of canals to distant lands.

Canals in different States.

The number of canals varies in different States. First, comes the Punjab, where a large percentage of the sown lands is irrigated by the Sutlej valley canals, Jhelum canal, etc. In the U.P., Bombay, and the M.P., 32 per cent, 4·5 per cent and 7 per cent of the sown lands are irrigated. The Sarda canals in the U. P., the Bhandardara dams and the Lloyd dam in Bombay, the Cauvery-Mettur projects are important canals. Only 6·4 per cent and 14 per cent of the cultivated area in Bengal and Assam have been irrigated. The Damodar canal is an important project in West Bengal.

Classification of irrigation works.

Irrigation works yield a decent revenue to State governments. Cultivators who take water to irrigate their lands have to pay a water rate to the government. The rates charged vary with the crop grown, and are different in different States. On the basis of the revenue yield, irrigation works have been divided by government into two classes,—productive and unproductive. *Productive irrigation works* are expected to yield a net revenue, while *unproductive works* are not expected to be remunerative, but have been excavated as a protection against famines etc.

In spite of so much investment, barely 26 per cent of the total cultivated area is served by irrigated works. This is clearly inadequate, considering the needs of the country. Much therefore remains to be done in this direction.

Advantages. These irrigation canals have conferred great benefits on the people. They have turned barren deserts into smiling fields. Land in the canal colonies of the Punjab was barren before these canals were dug. People were even unwilling to accept such land as a gift. But after the canals have been constructed, these lands become fertile and grow large crops. *Secondly,* irrigation increases the yield from the cultivated land. In Bombay, one acre of unirrigated land yields 510 lbs. of rice. But irrigated land yields 1,230 lbs. per acre. *Thirdly,* these reduce our dependence on the uncertainties of the monsoons. Thus they provide greater security to cultivators. *Lastly,* these have helped to reduce the expenses of famine relief, and yield a decent revenue to the government.

Rural Indebtedness

One of the most important causes of agricultural backwardness is to be found in the indebtedness of our cultivators. A person groaning under the burden of debts cannot invest anything in improving his land. The extent of total debts incurred by cultivators is enormous. It was estimated by the Central Banking Enquiry Committee in 1931 that total debts of all cultivators in India amounted to Rs. 900 crores. The debts of the cultivators in Bengal amounted to Rs. 100 crores. There is no doubt that the sum has considerably increased in subsequent years The problem is, therefore, serious, and unless this is solved, it is idle to expect any improvement in agriculture.

Causes. The chief reason is the abject poverty of cultivators. Their poverty is due to their extremely inadequate incomes. Such low incomes are due to the low productivity of agriculture. This is again due to the *uncertainty of rainfall, subdivision and fragmentation of holdings, application of small capital to the improvement of land and other causes.*

Poverty of the cultivators.

Another important reason for such low incomes is the absence of any secondary occupation for cultivators. Agriculturists have no work during the period after harvest and before the new sowings. Generally they remain idle during these months. So they have to support themselves on their small incomes from the sale of

Absence of secondary occupations.

crops during these idle months. As these incomes are barely sufficient, they are often forced to go to mahajans.

Failure or excess of rains.

As a result of their poverty, they cannot save anything. So if in any year, land does not yield large crops owing to inadequate or excessive rainfall, they are forced to borrow money to buy the necessaries of life.

Or if their cattle dies, they have to borrow money to purchase another bullock. When the Zemindar or his agent comes and demands his revenue, unfortunate tenants are forced to borrow to meet the demand of the Zemindar. The poor have to borrow for many other reasons.

Thriftlessness of the cultivators.

The thriftless habits of cultivators are also an important cause of their indebtedness. If, in any year, bountiful nature yields abundant crops, the higher incomes will probably be spent in marriage festivities, or *sradh* ceremonies, or in useless lawsuits over small and often fancied grievances. As a result, very few of them save anything out of their incomes.

Malpractices of mahajans.

Lastly, mahajans are not always honest people. Many of them do not hesitate to take advantage of the illiteracy and ignorance of the cultivators. As the latter cannot read written accounts, and do not always insist on getting receipts for sums they have paid, they are often cheated by unscrupulous mahajans. Money-lenders also charge very high rates of interest. As their incomes are very small, cultivators are unable to repay the principal after paying off such rates of interest. As a consequence, the burden of debts grows heavier every year with no prospect of repayment. At last mahajans go to the courts, sue the cultivators for arrears of debts, and sell their lands. In this way cultivators are sinking lower and lower in poverty.

Remedies. The problem is two-fold,—*first, how to enable the cultivators to pay off their old debts, and secondly, how to ensure that they will not have to borrow in the future.* To tackle *the first problem,* government at first passed laws (*e.g.,* the Deccan Agriculturists Relief Act of 1879, the Usurious Loans Act of 1918 etc.) to reduce rates of interest on the loans, and started co-operative credit societies.* The first step was ineffective, and the second was inadequate. A large number of co-operative credit societies have, of course, been started. The aggregate loans given by all credit societies amounted to Rs. 40.8 crores in 1941-42. But the amount of debts exceeds Rs. 900 crores. So these societies do not possess sufficient resources to enable the cultivators to pay off their debts. In recent times governments have adopted a more drastic step. They have passed *Agricultural Debtors Acts* for the voluntary or compulsory scaling down of debts. *Debts Settlement Boards,* consisting of a number of persons, have been set up in different parts of the country. These examine the debts of agriculturists, and try to induce their creditors to reduce their claims to sums which the cultivator can pay. They also fix instalments, spreading over a number of years, by which debts are to be repaid. Much has been done by these Boards to scale down the existing debts of cultivators. But much also remains to be done.

Passing of Acts to reduce interest.

Scaling down of debts.

One result of the burden of existing debts is that lands ot the cultivators are being sold away. To prevent the passing of lands from the hands ot cultivators to mahajans, laws (*e.g., Land Alienation Act of 1901*) have been passed in the Punjab and some other States under which, lands could not be sold to a person who was not an agriculturist.

Prevention of land alienation.

The second problem has been tackled in several ways. First, the government granted loans to cultivators for specific purposes, like the purchase of seeds, cattle, etc. These are known as the *takkavi loans.* But these are granted only during periods of distress or scarcity. These are not popular among cultivators and have not

Granting of takkavi loans.

---

* See the next chapter.

Co-operative credit societies.

solved their problems in any way. The government has also started *co-operative credit societies.* These supply loans to the cultivators at cheap rates of interest. They are of course doing good service to the peasants. But their number and resources are inadequate, and so they are not in a position to supply all needs of the cultivators.

Money-lenders Acts.

We have seen that mahajans often cheat the cultivators. To prevent these abuses, the different State Governments have passed *Money-lenders Acts.* According to these Acts mahajans have to take licences for doing business. They must also furnish regular accounts to debtors. They will not be allowed to charge more than a certain rate of interest (varying from 8 to 12 per cent).

These measures have of course yielded some result. But they have given relief only to a small number of cultivators. A real and lasting solution will only come when the incomes of the cultivators increase more than at present. This depends on increased agricultural productivity. The latter again depends on the adoption of large-scale farming and other improved methods of cultivation. The whole thing is thus interdependent. What is therefore necessary is a *combined and co-ordinated plan of agricultural development* embracing all parts of the organisation.

Marketing

Defects.

Absence of good roads.

A cultivator raises only a small amount of crops from his land. This is certainly bad. But the worse thing is that he does not always get the proper price by selling crops. This is due to the defective marketing organisation. The cultivator who grows a small amount of crops cannot afford to send these to the distant markets as that means a great loss of time. Often there is a complete absence of good roads connecting his village with distant markets. So he has to sell the crops in his village market, or to *beparis,* or *farias,* or other middlemen who come to the villages to buy the produce from growers. Cultivators are illiterate, and do not know the prices prevailing in the more important markets. The middlemen often pay them less than the market price. Cultivators may also be cheated by middlemen who may use false weights. It often happens that a cultivator has already taken *dadans* or advances from middlemen at the time of the sowing of seeds. In such cases there may be an understanding that crops will be sold to the latter. These mahajans take advantage of their position, and do not always pay the proper price to the sellers. Moreover, prices of crops generally reach a very low level after the harvest, and rise after a few months. Cultivators are extremely poor, and so are often forced to sell the crops immediately after the harvest. If they were able to hold their crops till a few months passed, they could have sold at a better price. As it is, the middlemen purchase the crops at the low price after the harvest, hold them till prices rise, and sell them in big markets. In this way they get all profits. It has been estimated that a cultivator gets only seven annas out of every rupee paid by the ultimate consumer of wheat products. The remaining nine annas are pocketed by middlemen.

Cheating by middlemen.

Sale of crops immediately after harvest.

Thus we see that the incomes of cultivators can be easily doubled if present defects in the marketing organisation are remedied. The government should pass a law prescribing a uniform, standard weight for the whole country. And rigorous steps should be taken to inspect, from time to time, the weights which are used by dealers. Good roads and railways should be constructed, linking the village with principal markets. Cultivators should be organised into co-operative sale societies. These should market the combined crops and then divide the sale-proceeds among members according to their share of crops. The government should give financial help to these societies to enable them to build godowns in the villages. Cultivators will deposit their crops in these godowns and obtain receipts in exchange. The co-operative credit societies

Remedies.

Co-operative sale societies.

Building of godowns.

and other institutions should grant loans to cultivators against these receipts up to a certain percentage of the value of crops deposited. In this way ryots will be able to satisfy their immediate monetary needs. When prices will rise, the society will sell the crops, and hand over the proceeds to cultivators, after deducting the amount of the loan. The cultivator will not be forced to sell immediately after the harvest, and will enjoy the benefits of higher prices.

The Man Behind the Plough. Lastly, we come to the cultivator. Many hard things have been said about this unfortunate man. He is of course inefficient. But his inefficiency is due more to his ill-health and illiteracy than to any inherent defect in his character. Because of his extreme poverty, he is often ill-fed, ill-clad and ill-housed. So he falls an easy victim to various diseases like malaria, cholera, etc. This lowers his vitality. He is also illiterate, and so not in a position to know scientific methods of cultivation. Extreme poverty for generations has often killed his ambition and has induced in him a fatalistic attitude of mind. He is resigned to his lot, accepting it as the decree of the fate. So he often fails to show a desire to improve his position. All this is no doubt true. But he is diligent and industrious. His methods may appear primitive, but they embody the wisdom of the ages. *His defects are due more to his environment than to himself.* Steps should be taken to spread both general and agricultural education among masses. The government should introduce compulsory primary education in the country, and educate the peasants in modern methods of cultivation by organising demonstration farms. This will go a great way to improve the human factor in our agricultural organisation.

Defects.

Illiteracy.

Unambitious.

Steps taken by the Government to improve agriculture.

The State and Agriculture. The State can do much to secure the necessary improvement in agricultural organisation. It has of course done something. It has, for example, excavated many irrigation works, has dug large canals, and encouraged the construction of wells and tanks. It has tried to consolidate the scattered holdings on the co-operative method in the Punjab and other States. *Consolidation of Holdings Acts* have been passed in the M.P. and other States. Separate *Departments of Agriculture* have been started in all States. These have opened *Demonstration farms* where cultivators can watch the improved methods of cultivation. These also help in the distribution of good seeds. Attempts have been made to improve the breed of the cattle. The government is also trying to spread primary education among masses. But the results have been meagre. Several agricultural schools and colleges have been started in different States. To co-ordinate research work in agricultural operations, the Government of India has started the *Indian Council of Agricultural Research.* This Council is carrying on important research work in various directions. The government has also passed the Agriculturists Loans Act, and the Land Improvement Loans Act. It is advancing *takkavi* loans to cultivators to help them in times of distress and scarcity. It has started the co-operative movement to help cultivators in various ways. The credit societies grant loans and help peasants to pay off their debts. The sale societies help them in marketing their produce. Lastly, the government is now paying increasing attention to the improvement of the marketing organisation. As a preliminary step, marketing officers have been appointed whose duty is to conduct a searching enquiry into the marketing conditions of different crops.

Thus unlike industries, agrriculture has received some consideration at the hands of government. But the effects have not been considerable. It will take several centuries, at the present rate of progress, to improve all acres of land which are cultivated. More active and often more drastic steps should be taken if the condition of masses is to be improved.

CHAPTER 3

CO-OPERATION

Reference has already been made to the co-operative societies which have been started by the government to supply loans to cultivators. What are the co-operative societies? These are societies which have been organised on the principles of co-operation. *The fundamental principle of co-operation is that strength lies in unity.* The poor and weak members of the society may not be able to do anything by their separate efforts. But they can do much in combination with each other. United they can eliminate the capitalist owner, or grasping middlemen, or otherwise secure all the advantages of wealth. A co-operative society is thus a voluntary association of a number of individuals, each of whom may be insignificant but who try by their united efforts to secure some material advantages and their moral development.

Principles of Co-operation. What are the fundamental principles of co-operation? As we have already stated, the first principle is that *union is strength.* By forming a co-operative society, the poor and weak members of the community are able to secure all the advantages which are enjoyed by the rich. Secondly, co-operative societies are based on the principles of *free association and equality.* Individuals are free to become members of a society. All members enjoy the same status in the organisation. Another principle is that of *solidarity.* Each individual, when he becomes a member, must stand by the society and all its members under all circumstances. Each must fight for all, and all must help each other. Then there is the principle of *proximity.* Members of a society must have intimate knowledge of each other, and should therefore live in a common locality. Herein lies the distinction between a co-operative society and a joint-stock company. The latter can be formed by completely unknown persons living far and wide. A co-operative society must also be *economical* in its working. It should not be extravagant and should induce its members to practise thrift.

As far as possible, members should render voluntary services. A co-operative society is not like an ordinary association. It pursues a higher ideal. It seeks to influence the life of members by fostering in them the spirit of self-help and mutual help. It aims at the improvement of the human factor in the organisation. Its aims, therefore, go beyond lending money or selling some goods. *Improvement in the material conditions* of the members is sought as a means to secure their mental and moral development.

First started at the end of 19th century.

History. Co-operative credit societies to help poor cultivators were first started by Herr Raiffeisen in Germany. These have proved a notable success not only in that country, but also in Denmark, Holland, Ireland and other western countries. Towards the end of the 19th century some co-operative societies were started in India to relieve the acute distress of cultivators. The Madras government asked one of their officials, Mr. Frederick Nicholson, to submit a report on the subject. That gentleman summed up his conclusion in two words, "Find Raiffeisen." He suggested the establishment of co-operative societies to solve the problem of rural indebtedness. In 1904, the government passed *The Co-operative Societies Act* to regulate the development of the movement. At first provisions were made only for the starting of co-operative credit societies to supply loans to members. Any ten persons of a village can form such a society. Its main purpose is to collect deposits from members and others and to grant loan only to members on easy terms. The liability of each member is unlimited. A large number of co-operative credit societies were started all over the country, and in course of time need was felt for the expansion of the movement in other directions. So another Act was passed in 1912. It now became possible to organise societies in other directions, such as co-operative sale and purchase societies etc. Central and Provincial Co-operative Banks were organised to supply funds to the village societies. The structure of the movement is governed in essentials by this Act, though in recent times some changes have been

Co-operative Societies Act of 1904.

Co-operative Societies Act of 1912.

introduced by various provincial Acts to suit the special requirements of different States.

Features of the movement.

At present the movement has been developed in the following directions. The large majority of societies have been organised to help agriculturists. These are both of credit and non-credit type. But the credit societies are predominant as these form about 80 per cent of all agricultural societies. The non-credit societies are the co-operative purchase societies, sale societies, irrigation societies, cattle insurance societies, etc. There are also co-operative societies of various types to meet the needs of the non-agricultural classes, such as co-operative credit, sale and purchase societies for the artisans, co-operative stores, etc. Many central and provincial co-operative banks have also been established to finance primary societies.

Rural Credit Societies. The basis or cell of the movement is primary co-operative societies. These are of two types,—credit and non-credit. Primary agricultural credit societies form nearly 80 per cent of all agricultural societies. It is, therefore, necessary to make a detailed study of the constitution and functions of these societies.

Organisation of primary societies.

These societies can be formed by ten or more persons. They must be major, and must live in a common locality near each other so that they know each other intimately. The liability of each society is unlimited. If a society is unable to pay its debts, creditors can attach all properties of each member in settlement of their claims. At the time of admission, each member pays a small admission fee, and he has generally to buy some shares. All members sitting together form the General Committee, and elect some of them to serve on the Managing Committee of the society. The managing committee performs all the business of the society with the help of a secretary. All these members including the secretary receive no remuneration for their services.

The management of a society is therefore democratic. The main function of these societies is to grant loans to members. The capital of a society consists of admission fees, sums paid by members in respect of shares bought by them, deposits received from members and others. The societies also receive loans from the central co-operative banks. All this money is lent by the society to its members only. Loans are granted for productive purposes like the purchase of good seeds, implements, etc., and also for unproductive purposes like the marriage of the daughter, etc. These are also granted to meet current needs and for the repayment of old debts. At least two other members must stand as a security for the repayment of debts. Loans are to be repaid in easy instalments. If, at the end of the year, any profit is made, at least one-fourth of the profits must be carried to a Reserve fund. After this has been done, members can spend ten per cent of profits for charitable and other purposes. Dividends up to a certain percentage can be paid to members according to their paid-up capital. The accounts of a society must be audited each year, often by the staff of the Registrar of Co-operative Societies, a high government official who directs the whole movement. These societies enjoy some privileges. They do not pay income tax or stamp duties etc. Besides the granting of loans, societies also aim at the mental and moral development of members. Some of them maintain schools, dispensaries, etc.

Functions.

Co-operation and the Cultivators. Besides the granting of loans, the co-operative movement helps agriculturists in many other ways. Cultivators have formed *co-operative irrigation societies*, and with mutual help, dig wells and tanks for irrigating their lands. In some States *cattle insurance societies* have been formed. Members pay a very small premium. When their cattle dies, the society grants them funds to purchase another bullock. We have already mentioned the co-operative purchase and sale societies. The *co-operative purchase societies* buy good seeds, manures and other requirements of cultivator-members at wholesale rates, and distribute these among members who are

How can co-operation help agriculture?

allowed to pay for the goods in instalments. The *co-operative sale societies* (*e.g.*, the cotton sale societies of Bombay, the paddy sale societies of W. Bengal, the sugar-cane sale societies of the U.P. and Bihar etc.) collect the crops produced by members and sell them in the market at better prices. In this way, these try to eliminate the middlemen so that ryots can enjoy all the profits. Lastly, mention must be made of the *co-operative consolidation of holdings.* These have been started with great success in the Punjab. The members seek to consolidate their scattered holdings by forming these societies. Besides, *co-operative anti-malarial societies* (in W. Bengal), *better living societies* (especially in the Punjab), *rural reconstruction societies* etc., have been established.

Financing of Societies. Wherefrom do these societies get their money? We know that cultivators are extremely poor. How does a society consisting of poor members find enough money to lend? The members of course pay a small entrance fee at the time of admission and purchase some shares. Those members who are fortunate in possessing some surplus money deposit it with the society. But this is not an important source as the number of rich members is small. So funds obtained in this way are not expected to be large, considering the acute poverty of the majority of the members. The society also accepts deposits from non-members. But these amounted to only Rs. 1·9 crores in 1939-40, a very small sum compared to the needs of members. The major portion of the funds of a society is borrowed from the *central co-operative banks.* These have been formed by the union of primary societies and their shares have also been purchased by private individuals. These are located at the district or taluka headquarters. Their main function is to lend fund to primary societies.

Their own funds are small.

Central Banks.

These banks in their turn borrow from the *Provincial Co-operative Banks.* They are situated at the headquarters of each State. There are seven such Banks in Bombay, West Bengal, Bihar, Madras, the M.P., Assam, and the Punjab. These Banks

Provincial Co-operative Banks.

accept deposits like ordinary banks, and borrow money from the Reserve Bank of India, or the Imperial Bank, and lend their funds to central co-operative banks.

Non-agricultural Co-operation. The reader should not carry the impression that the co-operative movement is only for the agriculturists. Something has also been done to help the artisans engaged in cottage industries and the small-salaried men of towns in various directions. Co-operative credit societies have been started in different States to supply funds to weavers and other artisans. Mention must be made of the Madras Hand-loom Weaver's Provincial Co-operative Society. This society helps the primary societies which are its members with funds and technical advice, and markets the products. Co-operative sale societies to market the products and purchase societies to buy raw materials and other implements have also been organised to help the artisans. The development of cottage industries will be rapid if more such societies are started.

Co-operation also helps cottage industries and others.

Many credit societies have also been organised to help persons of limited means and wage-earners who live in towns. There are *consumer's stores* which supply various household requirements to members; *housing societies* which help the middle-class people to build their own houses; *life insurance societies*, etc.

Merits. The progress of the movement has been remarkable. In 1914, there were only 16,000 societies. The number has increased to 1,24,000 in 1941-42. It has also conferred remarkable benefits on the people, especially the agricultural classes. The credit societies have supplied funds at low rates to the ryots. Their competition has forced mahajans to lower the rates of interest charged by them. The hold of moneylenders has been loosened in many villages. They have fostered habits of thrift among members. Money which would otherwise have been hoarded are now deposited with the societies. These societies are giving to their

Lowering of rates of interest.

Promotion of thrift.

members training in the handling of money and in the elementary principles of banking. The sale, purchase and other societies are rendering large benefits to the cultivators. In those places where there are good societies, a marked change is noticeable in the outlook of the people. The moral benefits are no less important. "Litigation and extravagance, drunkenness and gambling are all at a discount in a good co-operative society, and in their place will be found industry, self-reliance, and straight dealing, education and arbitration societies, thrift, self-help and mutual help."

Moral benefits.

Defects. All this is no doubt encouraging. But in recent times the movement is exhibiting serious weakness. The movement has failed to foster the true co-operative spirit in the members. The credit societies have often neglected their co-operative ideals and have worked as mere money-lending institution. A co-operative society is not a glorified money-lender. It aims fundamentally at influencing the life of members towards an all-round development. The co-operative societies have often failed to follow this ideal.

The societies do not follow the co-operative ideal.

There are other defects. Not even five per cent of agricultural primary societies can be regarded as financially sound. In some States like Bombay and Assam, more than 40 per cent of these societies have been classified as bad institutions. The main reason for this is that most of the societies are very lax in insisting on regular repayment of loans. The members show an excessive tenderness in dealing with defaulting borrowers. This is certainly bad. Loans must be paid off in regular instalments, except in special circumstances like a failure of crops, etc. How can a society work successfully where members do not care to pay off their dues? On many occasions *fictitious repayment* have been recorded. If a borrower is a favourite of the Secretary, the latter makes an entry in the books that the loan is repaid on the due date. But immediately afterwards a new loan is granted to that member so that he need not pay any cash. In this way the loan

Financial weakness.

Unpunctuality in repayment of loans.

remains outstanding. This is against the true co-operative spirit. Often loans have been granted to the favourites of the members ot the Managing Committee in excess of their repaying capacity. As a result, *a large portion of the loans has become overdue and the societies are facing financial ruin.* The trade depression and the fall in the prices of agricultural crops are also responsible for this state of affairs. Owing to the abnormal fall in agricultural prices, incomes of the cultivators became smaller than before. So many of them were not in a position to repay their loans.

Overdue loans.

The various governments are taking steps for the reconstruction of the movement on sound lines. Too much should not be made of the defects of the co-operative movement. All young democratic organisations suffer from such defects. They can be rooted out with care and vigilance.

CHAPTER 4

SYSTEMS OF LAND TENURE IN INDIA

Different systems of tenure.

The state in India has demanded, from time immemorial, a share in the produce of the earth from every cultivator. In their efforts to collect their revenue, the different governments have introduced different systems under which land is held in different provinces. In each system a person or persons are made responsible for the collection of the revenue, and the principles according to which the land revenue is to be assessed are also laid down. The systems of tenure can be broadly divided into two groups,—permanent and temporary settlements. In the Permanent Settlement, the revenue is fixed permanently. In temporary settlements, the government changes the revenue after a certain period. These are of three kinds,—*ryotwari, mahalwari* and *malguzari* settlements. We shall study them one by one.

Revenue is fixed permanently with the zemindars.

Permanent Settlement. According to the system of permanent settlement, the state has recognized the zemindar as the proprietor of the estates held by him, and has fixed for all time to come the revenue to be paid by each zemindar in respect of his land. The amount of land revenue to be paid to the government will never be increased. The system was introduced in 1793 in Bengal by Lord Cornwallis. It was later extended to the Banaras district of the U.P., and to North Madras. At the present moment, the major portion of lands in West Bengal, Bihar and Orissa, about one-fourth part of Assam (*e.g.*, district of Cachar etc.), Banaras, and North Madras districts are under the permanent settlement. The amount of revenue to be paid by each zemindar has been fixed for ever. If the zemindar fails to pay the revenue on the due date, his estates will be sold away in auction by the government. The zemindars were left free to charge anything from their tenants. The government, however, reserved the right to pass laws to protect the rights of the tenants. As the settlement is made within the zemindars, the system is sometimes known as the *Zemindari Settlement.* But there are zemindars in other parts of India (for example, in Oudh), but their revenue is not fixed permanently.

Temporary Settlements. Under the system of temporary settlement, the state has not fixed permanently the amount of land revenue to be paid by each holder of land. The revenue is fixed generally for a certain number of years, after which a new assessment is made by the government. The amount of revenue may then be increased or decreased. This sysem can further be subdivided into three groups, according as the assessment is made with the ryots individually, or with them collectively or with a proprietor or a group of proprietors. These are known as the *Ryotwari, Mahalwari* and *Malguzari* settlements.

Revenue is determined for temporary periods.

When government enters into agreements with individual cultivators fixing the revenue to be paid by each of them, the system is known as the *Ryotwari Settlement.* It prevails in Bombay, Berar, Madras (excepting some northern districts), Assam (excepting a portion). Ryots pay the revenue directly to the government. The assessment is usually made for a period varying from 10 to 30 years.

Ryotwari areas.

The *Mahalwari Settlement* is so called because the unit of assessment is not the holding of each ryot (as in the ryotwari system), but the whole *mahal* (*i.e.,* an estate composed of a village or villages), which is assessed jointly by the government. The tenants of the mahal are jointly and severally responsible for paying the entire revenue to the government. The officers first determine the rental value of the lands in the village. This is based on the actual rents paid in respect of the land, or on the estimated rents. Not more than 50 p.c. of these net assets is fixed as the revenue to be paid to the government. This system is in force in the U.P.

Mahalwari Settlement of the U.P.

In the Punjab, the same system prevails with some variations. The revenue is collected through the headman of the village, who is known as the *lambardar*. But the holders of estates are jointly and severally responsible for the payment of the revenue. The share of revenue due from each owner is determined separately. The cultivators therefore are in the same position as the ryots in Bombay and Madras.

Malguzari Settlement of the M.P.

The *Malguzari Settlement* prevails in the M.P. The *malguzars* were originally farmers of revenue in respect to the estates held by them. The government recognised them as proprietors and made them responsible for paying the revenue. It is thus a Zemindari Settlement. But the revenue paid by each malguzar or zemindar is not fixed permanently. The assessment is made as under a ryotwari system. The government officers conduct a survey of village lands and fix the rents to be paid by each tenant.

Permanent or Temporary Settlements? It is now necessary to make an estimate of the merits and defects of the two different systems of tenure. Originally the British Government was in favour of the permanent settlement. But this opinion soon changed in the favour of the second system. The non-official opinion has generally been against the permanent settlement. In Bengal, the original home of the permanent settlement, the majority of the members of the Bengal Land Revenue Commission of 1938 advocated the abolition of the system, and the introduction of the ryotwari system in that State.

Defects of Permanent Settlement. The permanent settlement has been criticised on many grounds. *First*, it has caused a serious loss of revenue to the government. The amount of land revenue to be paid by each zemindar was fixed for ever on the basis of rents collected in 1793, and was about Rs. 3 crores. In the subsequent 150 years, the level of rents has increased many times. The zemindars are thus collecting large sums of money from their tenants. But the revenue paid by them has not been

Loss of revenue.

increased. The government is, therefore, losing large sums of revenue. It would have obtained more revenue if revenue was settled temporarily. *Secondly,* the system has led to the creation of a large number of sub-proprietors between the zemindars and ryots. These tenure-holders, as they are called, are mere parasites, and are generally more oppressive than zemindars. As a result, actual cultivators have to suffer much. *Thirdly,* zemindars gradually ceased to live in the villages. They migrated to the cities and began to live a life of luxury. Their estates were managed by *naibs* and *gomasthas* (*i.e.,* agents). The latter oppressed the ryots and made illegal exactions from them. *Fourthly,* zemindars ceased to make any improvement in the villages. The old tanks which supplied water to the people and their lands dried up for want of proper re-excavation. The result was an inevitable decline in agricultural conditions. *Fifthly*, cultivators had to suffer in another way. Under the terms of the permanent settlement, the government collected revenue from the zemindars during all years, good or bad. No remission or suspension of revenue is granted during the years of failure of crops. The zemindars in their turn collected as much rent as they could even during bad years. The ryots got no remission even though crops failed. But under the temporary settlement, the government grants remission and suspension of revenue during such years. *Lastly,* another serious criticism is that the system is responsible to a large extent for the slow development of industries. Persons with money bought zemindari estates as these yielded large profits. Investment in land is also regarded as safer than that in industries. Hence few investments were made for developing industries.

Increase in the number of middlemen.

Oppression of tenants.

Slow growth of industries.

Merits. The advocates of the permanent settlement have claimed many merits for this system. *First,* it has, for example, brought stable revenues to the government. The amount of revenue varies in temporarily settled provinces with each assessment. Moreover, in the temporarily settled tracts, officials are always occupied

Stability of revenue.

Creation of middle class.

Charitable investments by zemindars.

with the ever-growing problem of administration and collection of land revenue. But under the permanent settlement the collection of land revenue has become easier, and officials can give more attention to other spheres of administration. *Secondly,* the tenure-holders or the sub-proprietors constitute an important middle class, and they, along with the zemindars, have been responsible for the educational and cultural progress of Bengal. *Thirdly,* zemindars have made many charitable investments and have also risked their money for the development of industries. *Fourthly,* from the point of view of the government, the system has secured the loyalty of the zemindars. *Lastly,* the periodic assessment of revenue causes much disturbance to cultivators. The permanent settlement avoids all these difficulties of temporary settlements.

Whatever the merits of the permanent settlement, the prevailing opinion is in favour of temporary settlements. The zemindars have no interest in investing money in the improvement of land. The governments of the permanently settled provinces have also no interest in making investments in the improvement of agriculture. For any resulting increase of revenue will be enjoyed by zemindars. The cultivators are too poor to invest any capital.

Abolition of zemindaris.

Hence land has become nobody's property in the permanently settled tracts. It has, therefore, been urged that the system should be abolished. The government should buy all land from the zemindars, and introduce ryotwari settlement. It will then have more interest in investing money in the improvement of agriculture. This was the main recommendation of the Bengal Land Revenue Commission of 1938, popularly known as the Floud Commission. The Commission recommended a scheme for the purchase of all zemindari estates by the government. The government should of course pay some compensation to the zemindars. They should pay either ten times, twelve times or fifteen times the amount of net rent collected by each zemindar as the value of the estate.

The scheme has been opposed by many people. It has been carried into effect in Madras, the U.P., and Bihar.

Principles of assessment in ryotwari areas.

Principles of Assessment in Ryotwari Areas. The Floud Commission recommended that after purchasing zemindari estates, the government should manage the land as under ryotwari settlement. It is, therefore, necessary to know how land revenue is assessed in ryotwari areas. The system prevails in Bombay, Berar, Madras (excepting some northern districts), and Assam (excepting a portion). The ryots pay revenue directly to the government. The assessment is usually made for a period varying from 10 to 30 years. The government officers conduct an accurate survey of lands in each village, classify them on the basis of their fertility, and make an estimate of the average amount of produce likely to be raised on each class of soil. The officers then determine the value of this produce by multiplying the amount of crops with the average prices of crops. From this sum, a certain amount is deducted on account of the cost of cultivation. The remaining sum is known as the *net produce.* Not more than 50 per cent of this net produce can be fixed as the amount of revenue. This is how the revenue is assessed in Madras. In Bombay, a slightly different method is followed. At the original settlement, a classification of soils was made on the basis of their fertility. The officers then determine the rental value (*i.e.*, the rent that is paid or is likely to be paid for each plot of land) of the lands. A certain percentage of the rental value was fixed as the land revenue. At the time of re-settlement, the revenue in respect of each land is increased or decreased according as there has occurred a rise or fall in general prices and in the general prosperity of that part of the State. In Assam, the period of settlement is usually shorter than in Madras.

CHAPTER 5

FAMINES

Originally famines meant a severe scarcity of food in a particular part of the country. When crops failed for a season or two, people had to suffer from scarcities of food. No means were available for bringing food from other distant parts of the country which were fortunate in growing good crops. Failure of rains in all parts of the country was an extremely rare occurrence. Even when there was a failure of rains in one part of the country, other parts generally obtain good rains and good crops. The means of rapid communication were very few. There was an absence of good roads linking all parts of the country. The railways were non-existent. Hence when there was a scarcity of food in one part of the country, food could not be rapidly transported to that part from other areas. The people of that area had to die of hunger and starvation.

In early times, famines were famines of food.

But now-a-days famines are no longer famines of food. If there is a failure of crops in any part of India, large quantities of food can be brought to that part quickly through the railways and steamers, either from other areas of India, or from foreign countries. *Famines are really famines of money or of employment, not of food.* People die of starvation mainly because they do not possess any money with which to buy food.

Now-a-days famines mean scarcity of money or employment.

Causes. The causes of famines can be divided into two parts,—immediate or physical cause, and real or economic cause.

The immediate cause of famines is the failure of crops. Crops will fail, if, due to any reason, there is inadequate rainfall in the country. If monsoons supply small quantities of rains, or if rains do not come timely, or cease early, the fields become dry for want of water. Crops will fail. The same result will occur if there are excessive rains, and floods destroy all crops. Secondly, it has been stated by many authorities that one of the important reasons of inadequate or excessive rains is the deforestation of the country. If people cut down all trees in a forest, especially in or near the hills, there will either be inadequate or excessive rains in the country. Lastly, famines will occur when locusts, pests or other insects destroy the crops in any area.

Poverty of the masses.

All these causes are responsible for the failure of crops. But we know that famines are no longer famines of food, but of money. *The real cause of famines is the extreme poverty of the masses.* The causes of such poverty are not far to seek. The vast majority of the people live on agriculture. The number of people who depend on land for their livelihood has increased considerably owing to the decline of the old cottage industries. So the pressure of population on the land has increased. But the incomes derived from land are extremely meagre. We have seen that the output per acre in India is practically the lowest in the world. As a result of such low productivity, incomes of the agriculturists are very small. They do not follow any other secondary occupation and so cannot add to their incomes. The incomes earned by cultivators are insufficient for their daily needs. Moreover, owing to their thriftless habits, cultivators squander away their small incomes in giving caste dinners on the occasion of marriages or *sradh* ceremonies. Hence they cannot save anything. As they have no savings, they do not possess any money to buy food when there is a failure of crops.

Remedies for Famines. The chief remedies for famines are two,—*viz.*, adequate water-supply and increased money incomes.

More irrigation works.

If arrangements are made to supply water in sufficient quantities to land, failure of crops will be rare. Steps should be taken to construct more irrigation works,—more tanks and more canals. In this way, our dependence on monsoons could be reduced. *Secondly,* steps should be taken to stop the indiscriminate cutting down of trees in the forests. Forests induce rainfall and so the government should strictly follow the policy of conservation of forests. *Thirdly,* the drainage system of the country should be scientifically studied, and suitably improved. In that case, an excessive rainfall will not always flood the whole countryside. The excess water would then be carried easily through these drains to the sea without damaging the crops. *Fourthly,* the government should conduct research, and devise suitable measures to deal the locust, pest and other insect pests. These will not cause the destruction of crops. *Lastly,* more railways and more roads should be constructed, linking every part of the country with other areas. If there is a failure of crops in one place, food can be easily brought from other parts where crops are more abundant.

Development of cottage industries.

Above all, it is absolutely essential to solve the problem of poverty. Famines are caused by poverty. Uulcss the money incomes of the masses increase, it is idle to expect the proper solution of the problem of famines. Too many people try to live on land. Unless the pressure of population on land decreases, agricultural productivity will not increase. So steps should be taken to develop cottage industries and other big industries so that the people who leave the land may be provided with suitable jobs. Secondly, the various agricultural improvements, which we have discussed before, should be adopted. These should result in increased agricultural productivity. The incomes of the cultivators would then rise. Lastly, the cultivators should be properly educated. They should be taught the virtues of thrift.

Adoption of agricultural improvements.

Organisation of Famine Relief. Famines cause intense suffering to a large part of population. Many die of hunger and starvation. Cholera and other epidemic diseases follow in the wake of famines. They are, as it were, the camp followers of famines. These also carry off large numbers of people. The British Government in India never acknowledged its obligation to provide work for all the people of the country. But it undertook the task of providing relief to the people during famines. The measures taken by the government to combat famines can be divided into two parts,—*viz.*, the immediate problem of giving relief during famines and the ultimate measures of prevention of famines.

Watching the rainfall.

Famine signals.

The government takes the following measures to give relief during famines. Before arrangements for relief can be undertaken, it is necessary to find out whether a famine has occurred or not. So government officials study monsoon forecasts. Officials in different parts watch the actual amount of rainfall in the districts. The first signal of famines is a failure of rains, or an excessive rainfall leading to a failure of crops. When crops fail in any part, prices of food-stuffs rise; the number of thefts and robberies increase. Too many people take to begging. These are the signals for famines. When these signals become prominent, government understands that a famine is approaching. Then comes the second stage. The government declares its famine policy. It enlists the help of non-officials, suspends the payment of land revenue. Steps are taken to organise public charity.

Test works.

Test works are then opened in the affected parts. The objects of these test works is to find out whether there is famine or not. If there is famine, a large number of people will flock to these test works. These are then converted into relief works.

Poor houses.

The second stage then begins. Villages are inspected and a list of individuals requiring relief is prepared. Poor houses are started to give free food to the old people, the infirm and the children, *i.e.*, to all those who cannot work.

Relief is also given to the womenfolk and people belonging to lower-middle classes. The able-bodied men are given work and proper wages. For this purpose small public works like the construction of roads are undertaken.

To cope with the danger of an outbreak of cholera, the medical and sanitary staffs keep themselves in constant readiness.

The last stage begins with the fall of rains in June. People are then transferred back to the villages where arrangements for relief are made. The government advances large *takkavi* loans to cultivators to enable them to purchase seeds, cattle, etc. After crops are harvested, the relief centres are closed. If crops are good, there will no longer be any necessity for relief.

Distribution of *takkavi* loans.

These are the steps taken to provide immediate relief when a famine breaks out. The government have also adopted certain measures which are designed to prevent the occurrence of famines. For this purpose, the government have constructed *protective irrigation works* so as to supply water to the fields after a failure of the rains. Secondly, the government have constructed a chain of *railways* to render the task of famine relief easier. These will enable the government to send food quickly to the famine-stricken areas from places of plenty. Thirdly, the government have started a fund known as the *famine insurance fund.* Every year a certain sum of money is set aside from the general revenues, and allotted to this fund. It is utilised for the purpose of construction of protective irrigation works and railways and of actual relief operations. Lastly, various measures for the improvement of agriculture which have been adopted by the government may be said to fall in this class. For, ultimately the problem of famines cannot be solved unless the incomes of the vast majority of people rise from their present wretched level.

Protective irrigation works.

Construction of Railways.

Famine insurance fund.

Recommendations of the Famine Enquiry Commission. The report of the Famine Enquiry Commission contains many important suggestions for solving the food problem of our country. It recommended that government should assume responsibility for increasing the food resources and for improving the diet of the people. The government should try to make India self-sufficient in the production of cereals. *i.e.,* rice, wheat, etc. Prices of cereals should be controlled in such a way as to ensure a reasonable profit to the cultivators. The government should also adopt various measures for the improvement of agriculture. In particular, governments should take steps to construct all classes of irrigation works like wells, tanks, canals, tube-wells, etc., as rapidly as possible. More manure should be used. The government should try to find an alternative fuel to cow-dung, and to encourage the crushing of oil-seeds in our country, so that the oil-cakes may be used as manures. An expansion in the use of artificial fertilisers is also essential. Efforts should be increased to introduce further improvements in the selection of improved varieties of seeds. One of the urgent needs of agriculture is a reduction in the enormous number of bullocks employed in the farming operations. For this purpose, there is scope for introducing more agricultural machines. Experiments should be carried out with a view to evolve a type of tractor suitable to conditions in India. The evils of fragmentation of holdings should be fought by the method of co-operative consolidation of holdings. Some limitations on existing rights of unrestricted transfer is necessary to prevent increase in fragmentation. As it may not be possible to substitute the permanent settlement by the ryotwari tenure within a relatively short period, it is necessary that the government should assume powers of supervision and control over the management of the estates. The government should adopt a policy of stabilisation of the prices of wheat and rice. Land mortgage banks should be developed in all states to provide long-term credit. Educative propaganda should be undertaken to check social customs which compel individuals to incur expenditure beyond their means. Steps should be taken to develop cottage industries and rural industries and village public works to provide subsidiary employment to cultivators. Multi-purpose village co-operative societies should be developed in all villages.

Lure Roll No 135

CHAMKI C.

CHAPTER 6

COTTAGE INDUSTRIES

Importance of cottage industries.

India occupies the eighth place in the list of industrialised countries of the world. But the number of big organised industries is comparatively small in our country. Most of the industries are organised on a small scale. This will be evident if we look to the proportion of workers engaged in industries. According to the census of 1931, only 10·38 per cent of the total number of workers are engaged in industries. Of them, however, the big organised industries support only 1·5 per cent of workers. The rest, (*i.e.*, 8·88 per cent) are engaged in small, unorganised industries. Hence we can easily understand the important place which small industries occupy in our economic organisation.

Causes of Decline. Unlike the western countries, we have to devote more attention to small industries. These are known as cottage industries. They are so called because the manufacture is carried on generally in the home of the artisan himself and occasionally in small *karkhanas.* India was once famous for her cottage industries. The works of luxury and art, produced by these industries, were prized all over the world. Many of these artistic industries gathered round the royal courts in the pre-British days. The rich patronage of the kings, Nawabs and other noble-men was responsible for the full growth of these industries. But with the establishment of the British Raj, fashions changed, and our Rajahs and Nawabs ceased to patronise the goods produced by cottage industries. Hence many of these began to decline. Another cause was the competition of machine-made goods which were sent from England. As these were cheaper, they displaced the products of cottage industries. So one by one these died, and those which remain are facing an acute struggle for existence.

Important Cottage Industries. A brief description of some of these cottage industries would not be out of place. *Hand-spinning* was almost universal among women in ancient India. But the competition of machine-spun yarns resulted in the complete disappearance of this industry. It has however been given a new lease of life as the result of Mahatma Gandhi's movement. It has been suggested that there is no future for this industry. Hand-spun yarn is less strong than the machine-spun yarn, and machines are more productive than the spinning wheels. This is no doubt true. But the *Charka* provides spare-time occupation for the cultivator and his family, most of whom remain idle in between the agricultural seasons.

Hand-spinning industry.

The most important cottage industry is the *handloom industry*. It has always been the most important industry after agriculture. The industry supplied 27·8 per cent of the cotton piece-goods consumed in India in 1940-41. It provides occupation to nearly 60 lakhs of people and produces goods worth Rs. 50 crores per year. It is carried on all over the country. The notable centres of production in West Bengal are Santipur in Nadia, Dhanekhali, Antpur, Rajbalhat in Hooghly, etc. In Assam, cotton cloth is manufactured chiefly in the Surma Valley, by the Nath weavers. According to an old estimate, the value of the goods produced by the cotton hand-loom industry of Bengal amounted to about Rs. 3·30 crores.

Handloom industry.

The cotton handloom industry is now in a depressed condition owing to the competition of cotton mills, both Indian and foreign. But it enjoys some special advantages for which it will not die out. The weaver possesses a good deal of inherited skill, and he can manage his business with small capital. Secondly, he gets the help of the members of his family, especially of the women and children. In this way, his costs of production are usually low. Thirdly, he carries on his business along with

Possibility of handloom industry.

agriculture. As he follows a subsidiary occupation, his expenses are to that extent lowered. Lastly, he produces artistic clothes, each with a different pattern. Here mills cannot compete with him. He also produces coarse clothes which are preferred by the village people on account of their durability. This industry is therefore sure to survive.

Silk-weaving.

Silk-weaving is another cottage industry, though it is much less important than the cotton handloom industry. It exists all over the country. But it is more important in Bombay, Mysore, Madras, the U.P., West Bengal and Assam. Allied to it is the *Sericulture* industry. It includes the rearing of silk-worms and spinning. It is an important cottage industry in Mysore, Kashmir, in the Assam Valley districts in Assam, and Murshidabad, Malda and Birbhum districts of West Bengal. This industry supplies about half the total demand for raw silk on the part of Indian weavers.

Woollen industry.

The *Woollen industry* was once famous for the production of artistic goods like shawls, carpets, etc. But now it is in a dying condition. It is found mainly in Kashmir and Mirzapore in the U.P. It also produces large quantities of rough blankets for the use of common people.

Brass and Bell-metal industry.

In addition, there are many other cottage industries like the brass and bell-metal industry, chiefly found in Banaras, Moradabad in the U.P., Murshidabad in West Bengal, Srinagar, etc.; pottery industry manufacturing clay dolls and utensils, especially of Krishnagar in West Bengal; bangle-making industry in the U.P., the goldsmithy; *bidi*-making industry; oil-pressing *ghanies;* sweatmeat making; rice-pounding, etc. Some of these industries are carried on by artisans as their wholetime occupation. Others are carried on as a secondary occupation by people who are mostly cultivators. Into this class belong the industries of basket-making, rice-husking, gur-making, cane and bamboo-work and matting, rope-making, etc.

Difficulties. Most of these industries are now in a depressed condition. *The difficulties of most of these industries are substantially similar.* These are due mainly to the prevalence of old methods, lack of any organisation and the want of sufficient capital. The methods of production are very old. The artisans are still using in many cases crude implements fashioned by their forefathers in the hoary past. The woolweaver's handloom is still of the old type and the oil-pressing *ghanies* still retain the old form, shape and size. There has also occurred no change in the methods of production. The artisans still pursue the old methods of manufacturing goods. They do not move with the times. They are mostly illiterate and do not know recent improvements. Secondly, many of them also lack suitable technical skill as they have very little opportunity of getting such training. Thirdly, money is the root of most difficulties. The artisans are very poor, and do not possess sufficient capital to purchase raw materials and to hold their finished goods. Like the cultivators, they are also heavily indebted to mahajans, and have fallen in their grip. The latter finance the artisans, supply the yarn and other raw materials, and buy finished products. The artisans are often forced to buy their raw materials dear and to sell their finished goods cheap. Lastly, the most fundamental difficulty is with regard to the marketing of products. The artisans find it very difficult to sell their output at anything like a remunerative price. There is practically no organisation to sell their products.

Old methods of production.

Illiteracy and lack of technical education.

Lack of cheap capital.

Absence of marketing organisation.

Improvements. In view of the place which these cottage industries occupy in our industrial organisation, it is necessary to adopt suitable remedies for solving these difficulties. First, steps should be taken to devise improved implements and improved technique. The Departments of Industries should make experiments with improved types of implements. These should be popularised among artisans by organising exhibitions, demonstration parties, etc. Arrangements should be made in such a way that artisans could purchase them by paying easy instalments. Secondly, the problem of insufficient capital should be solved by organising co-operative credit societies among artisans. If possible, the government should grant small loans to artisans. Thirdly, marketing defects can be solved by organising co-operative sale societies. Sales rooms and museums should be established in all important centres of trade and in foreign countrits where the goods should be on sale. There should be organised a *Central Sales Agency* like the All Indian Village Industries Association. It should open shops, and conduct propaganda in order to create a popular taste for the products of cottage industries. Fourthly, it should take steps to teach artisans to produce goods suited to modern tastes and fashion. It should supply new designs and patterns to artisans. They should be encouraged to produce specialities and artistic goods. Lastly, artisans must also be suitably educated. Technical shools should be opened in all important centres of industries. The artisans should be given adequate training in the improved technique of production. Many writers have suggested that provisions should be made for the supply of cheap electric power to these industries. This is already being done in Mysore.

Introduction of better implements.

Supply of new designs and patterns.

But is it possible to keep these industries alive? Is it not that our efforts to improve them will prove abortive? Production in large factories is more economical than small-scale production. Hence cottage industries will not be able to compete successfully with large-scale factories. But we already know that in spite of economies of large-scale production small producers are not driven out from all fields. They survive in the production of artistic goods, and things for which the market is usually small. The weaver, for example, possesses much inherited skill, and can get the help of the members of his family, specially women and

Causes of survival of cottage industries.

children who would otherwise have remained idle. He can keep down his cost of production in this way. The weaver also produces artistic *sarees*, each with a different pattern and these are much preferred by ladies. The factories cannot hope to compete with a *Banarasi saree*. *There is also an urgent need for maintaining our cottage industries as these provide spare time work to the agriculturists who have to remain idle for the greater part of the year and to the women who cannot adopt any other occupation.* The artistic industries must also be kept alive so that the industrial skill and the fine artistic aptitude of artisans may not be lost.

CHAPTER 7

INDUSTRIES

India has also developed a number of large industrial establishments. These were started some 70 or 80 years ago mostly by foreigners. We shall here give a brief description of some of the more important manufacturing industries.

Cotton mill industry.

Important Manufacturing Industries. The *cotton mill industry* should be mentioned first as it was practically the first industry on modern lines to be established by Indians. The first cotton mill was started at Calcutta in 1818. But the real growth began when the first factory was established in Bombay in 1853. Since then there has occurred a rapid development of this industry. It supplies more than 66 per cent of the total consumption of cotton clothes in India. At the present moment, four areas,—Bombay, Madras, the U.P., and W. Bengal,—lead in the production of cotton goods. The industry is more or less localised in Bombay and Ahmedabad, the Bombay Presidency possessing nearly 60 per cent of the total number of mills in India. The localisation of the industry in Bombay was due to the fact that Bombay possessed good facilities for abundant and cheap credit, and facilities for transport by rail and by steamer and a large supply of labour and raw materials. The majority of the mills are organised on the joint-stock basis, and the capital has been subscribed mostly by Indians. The management is also in the hands of Indians.

Iron and steel industry.

Next in importance stands the *iron and steel industry.* Though the first factory on modern lines was started in the 19th century, the real growth came with the establishment of the Tata Iron and Steel Company at Sakchi in Bihar in 1907. India is the second leading iron and steel producer in the British Commonwealth. There are at present 4 or 5 companies manufacturing iron and steel, all except one being situated in Bihar and

W. Bengal and only one in Mysore. The industry is owned and managed by the Indians. The future outlook for this industry is very bright. Many other subsidiary industries have also grown up in and around Jamshedpur for the manufacture of various steel products.

Sugar industry.

The *sugar industry* is of recent growth compared to the first two industries. Though India possessed a few sugar mills, the real progress came after 1930 with the grant of protection to the industry. The number of mills increased from 31 in 1932 to 156 at the present day. They are mainly managed by Indians, and are localised in the U.P. and Bihar. Sugar is also manufactured according to old methods and these concerns are known as *Khandsaris.*

Jute mill industry.

The *jute mill industry* is an old industry. The first jute mill was started at Risra in W. Bengal in 1855. The industry is highly developed, and most of the mills are situated on the banks of the river Hooghly within a short distance of Calcutta. The industry is managed more or less by Europeans, mostly Scotchmen. In recent years Indians have started a few mills.

Paper industry.

The beginning of the Indian *paper industry* started from 1870 when the first paper mill was established at Bally near Calcutta. A large number of mills have since been established. The big mills are under European management.

We also possess a large number of factories manufacturing Cement, Matches, Glass, Leather goods, Chemicals, etc. India is also the second largest tea-producing country in the world. There are more than 500 tea plantations. The industry is mostly localised in Assam and West Bengal. South India contributes only 18 per cent to the total output raised in India. The capital and management are mostly European.

Causes of Industrial Backwardness. Thus we have been able to develop a few industries on modern lines. But this is scarcely enough for such a huge country like India. As the Fiscal Commission had observed, "the industrial development of India has not been commensurate with the size of the country, its population and its natural resources." The majority of the mills are owned and managed by the Europeans. The part played by Indians has not been considerable.

Lack of business leaders.

What are the causes which are responsible for the slow development of industries in our country? The most important reason is that our young men do not take up business careers in the way which their friends in Europe and America do. The social atmosphere and the system of education have made the educated classes disinclined to take up a business career. This tendency is fortunately changing and more and more young men are now anxious to develop the trade and industries of the country instead of seeking a soft job on a fixed salary. *Secondly,* we also lack sufficient capital. The vast majority are too poor to save and invest. The richer classes prefer safe investments like landed properties or government securities. They do not always like to risk their money in starting new industries. Hence we have lagged behind, and the majority of our industries have been developed by Europeans. This "shyness" of our capital is also breaking down and investment in the shares of joint-stock companies has increased in recent times. *Thirdly*, another serious defect is with regard to the supply of skilled labour. Indian labour is inefficient. Indian industrialists are seriously handicapped in competition with foreigners as a consequence of the inefficiency of our labour. *Fourthly,* another important defect which is responsible for our industrial backwardness is the lack of adequate power resources. We produce oil in negligible quantities. Our coal mines are situated mostly in Bihar and West Bengal. The remaining parts of India get coal from these areas by paying large freights. This raises their costs. Hydro-electricity is yet in an undeveloped state. *Lastly,* the attitude of

We lack capital.

Supply of skilled labour is small.

We lack cheap power.

the state has also been an important factor. The development of industries in Germany, Japan and other countries has been due, to a large extent, to the encouragement given by their government. But the government of India followed, until recently, a policy of indifference to the development of industries. This policy has been reversed only after the first world war.

The government does not help.

Suggestions for Improvement. India, we know, possesses an abundance of natural resources. She has plentiful supplies of coal and iron ores, manganese, mica, copper and other minerals. She is the world's largest producer of jute, second largest producer of raw cotton. Her resources stand unrivalled in food crops. Her forests are as yet untapped. Her power resources are immense, and almost undeveloped. The huge man-power opens up wide markets for her products, and is the potential source of a large labour supply. *What she lacks is mostly capital and enterprise.* This can be easily remedied. The shyness of capital is rapidly decreasing. This is a welcome sign. *The banking system of the country should be developed on sound lines.* These banks will gather the savings of people and invest them in the development of industries. Young men should be encouraged to take up business careers. Promising youths should be sent to foreign countries to learn business methods and technique. The aspiration for a foreign degree and a safe job should go. Our youngmen should go to foreign countries not to get degrees, but to learn business. *The government can do much in this direction.* Had the government been a national one, it would have taken more active steps to develop the industries. The government can encourage industrial development in many ways, *e.g.,* by the grant of protection, by the grant of financial and other concessions, by encouraging the purchase of domestic goods for the various departments and for their employees, by organising industrial exhibition, etc. If the rich people know that government means business, they will get more confidence regarding the

We possess an abundance of natural resources, but we lack capital and enterprise.

safety of their investment. They will not hesitate to supply their capital for starting a business.

Development of Industries or Agriculture? This demand for the industrialisation of the country is not accepted by all writers. Some have argued that India is pre-eminently an agricultural country, and should remain so. Nature has destined India to be an agricultural country. She possesses special facilities in this direction. Indians do not have large capital. But large-scale factories cannot be developed without large capital. The small capital that we possess should better be diverted to the improvement of agriculture. India possesses not only small capital, but she also lacks an adequate supply of skilled labour. Hence India will not be able to compete successfully with the old, established manufacturing industries of the west. The latter will be able to produce goods at lower prices, and so under-sell Indian manufactures. On the other hand, India can produce agricultural crops at much lower cost than in the west as she possesses rich, fertile soils. So it would be better if she devotes herself only to agriculture, and buy manufactured goods from the west at cheaper prices. India will then be able to avoid the evils of industrialism.

Is India destined to be an agricultural or manufacturing country?

But these look only to one side of the situation. We possess no doubt immense facilities for agricultural development. But absolute dependence on agriculture has always been a serious defect of our economic life. Too many people live on the land in our country. If agriculture is to be improved, large-scale farming must be carried on. That will mean that a large number of peasants must be driven away from the land. Otherwise holdings will remain as small as ever. Where will these people go in search of their livelihood? They can only be given occupations by developing the industries. At the present rate of growth of population, agricultural improvement is impossible without the

Too much dependence on land is bad.

development of industries. Too much dependence on one industry is not desirable. What will happen to the people if this sole means of subsistence fails as a result of the scanty rains? We must not rely too much on land.

We should develop both industries and agriculture.

It is wrong to say that we do not possess sufficient facilities for the growth of industries. A list of industries given above is sufficient to refute this statement. The defects in our industrial organisation can be remedied with a little care and state help. The development of industries is the most crying need of our country. *The last world war has taught the lesson that we must industrialise, or perish as a nation.* If India aspires to the position of a first class nation, she must take steps to secure a more rapid development of the industries. This will increase our national income, and solve the great problem of poverty of the masses. Thus it will confer immense benefits on India.

Efficiency of Indian Labour

They are ill-fed, ill-clothed, ill-housed.

We have seen that one important reason for the slow growth of industries is the inefficiency of our labourers. It is necessary therefore to examine this question. How far are our labourers efficient? Unfortunately, Indian labourers do not possess much efficiency. It has been estimated that one Indian worker is about one-third as efficient as a Britisher. The reasons are obvious. Indian workers are ill-fed, ill-clothed, and they live in dirty, and crowded *bustees* or *chawls*. Many of them do not get food in sufficient quantities. Their clothes are an insufficient protection against the changes of weather. The insanitary *chawls* in which they live an overcrowded life are so many breeding grounds of the diseases. No wonder that they suffer from ill-health. The climate of India is also an important factor. As we know, prolonged hard work in the excessively hot climate of India exercises an adverse influence over the health of workers. The labourers are illiterate. They are innocent of any education, general or technical. The number

Climate.

of technical schools where workers can learn their work and get a knowledge of the machines is very small. Hence they lack sound health and good training, the most important bases of efficiency. Because of their inefficiency, they get lower wages. But low wages are not sufficient to maintain their health and efficiency. They cannot afford to purchase good food or clothes or pay the rent of a decent house. There is thus a vicious circle; —low wages lead to low efficiency, and the latter in its turn leads to low wages. As a result, their standard of living is very low, and a low standard means low efficiency. Conditions of employment are also far from ideal. The employers do not always work with the best machines, nor have they done much to introduce some cheerfulness into the conditions of work.

Lack of education, general and technical.

Low wages and low standard of living.

Remedies. A high efficiency of labour is an indispensable condition of economic progress. A highly efficient worker will produce a large output. He will also earn a large money income and will have a high standard of living. It is therefore necessary to take steps to increase the efficiency of our labourers. They must be given good food in sufficient quantities and better and cleaner clothes. The *bustees* and *chawls* should be demolished. The employers and various local bodies should build better houses and sanitary quarters for workers. Steps should be taken by the government and local bodies to improve the public health of the country, and to provide better medical facilities. Above all, *the immediate necessity is to educate the workers.* Without education, it is idle to expect any lasting improvement in thtir health and efficiency. Technical schools should be opened in large numbers where labourers can obtain all sorts of mechanical training. The Indian labourer is not less intelligent than a European or American worker. All that he lacks is proper training and the atmosphere to develop his talents. We have one important advantage over many countries. We possess abundant natural resources. If, with a determined

Good food.

Better houses.

Primary schools.

Technical schools.

will, we take steps to improve the efficiency of our workers, we have a glorious future before us.

Foreign Capital

One result of small accumulation of capital in our country is that the majority of our industries have been developed by foreign capital. The supply of savings is small in our country. Moreover, many people who possess some capital do not like to invest their savings in the development of industries. Foreigners, especially the British people, have therefore stepped into the gap, and supplied the major portion of capital employed in the tea and coffee industries, paper industry, coal mining and gold mining industries, jute and rubber industries, tramways, etc. Only the major portion of funds employed in the cotton textile, iron and steel, and sugar industries has been supplied by Indians.

Which industries employ foreign capital?

Advantages. The benefits of foreign capital are obvious. As we possess very small capital resources, it would not have been possible for us to develop our industries with our own capital. By supplying capital, foreigners have hastened the development of many industries of our country. We would have been poorer if these industries were not developed;—if railways, for example, had not been constructed. Secondly, the starting of new industries is always a risky affair. One never knows whether the company will earn good profits, or will be involved in huge losses. If the enterprise fails, persons who have invested capital will lose their money. All these risks of developing new industries have been borne by foreign capitalists. Thirdly, the industry and enterprise of foreigners have set a lesson before Indians. The latter have followed the footsteps of foreigners and learnt from them the art of conducting a business successfully. The success achieved by foreign capitalists has tempted the rich men of India to invest their funds in the development of industries. In this way, foreign capital has helped to draw out the idle savings from hoards.

It has hastened the growth of industries.

It has borne the initial risks.

It has trained Indians in business.

Foreigners take away all profits.

Foreigners occupy all high posts.

They exhaust our mineral resources.

They oppose our political and industrial progress.

Demerits. But there are serious disadvantages on the other side. Our industries have of course been developed. But profits from the working of these industries are not enjoyed by Indians. These are sent out of the country and enrich the foreigner. Indians have only benefited by obtaining a few jobs as clerks and labourers. Secondly, foreign capitalists have not always employed Indians to positions of trust and importance. All higher posts are filled by their own countrymen. Indians have seldom been given any chance of learning the secrets of a business or of occupying high positions of responsibility. Thirdly, foreign capitalists have also exploited our mineral resources with utter disregard of the future necessities of the country. They have mainly looked to their profits and tried to earn as much as possible. The coal mines, for example, have often been worked in wasteful ways. As a result, the country has lost large quantities of coal. The foreigners cannot be expected to feel the same necessity as we do to conserve our resources. Lastly, foreign capitalists have formed a vested interest and have always opposed the grant of independence to our country. They have opposed and have thwarted successfully the entry of Indians into an industry. The shipping industry is a case in point. The Indian shipping companies have not always been able to withstand the competition of well-established foreign companies which possess huge resources and which have not hesitated to adopt unfair practices.

The entry of foreign capital is therefore viewed with considerable distrust by the Indian opinion. The economists are agreed that the free entry of foreign capital should no longer be allowed, and that the foreign capitalist must be placed under certain limitations before he can be allowed to operate in India. Independent India of course requires the services of foreign capitalists and technical men for manufacturing a variety of complex and complicated goods. But it does not mean that foreigners will be allowed to acquire control over industries.

CHAPTER 8

GOVERNMENT AND INDUSTRIES

The state should actively help the growth of industries.

It is now being increasingly recognised that the government of a country should encourage and help in the development of industries. The policy of *laissez faire* has practically ended. Germany and Japan developed their industries quickly as a result of the active help given by their government for this purpose.

But unfortunately for our country the Government of India did not follow this policy throughout the 19th century, and the first quarter of the 20th century. They were fond of the policy of *laissez faire,* and did practically nothing to encourage the development of Indian industries. In the beginning of the present century, one or two provincial governments, especially the Madras government, adopted the policy of granting loans to some industries and started one or two factories. This was opposed by Europeans, and as a result of their agitation, the Secretary of State disapproved of this policy.

During the first world war, the government realised the necessity of developing industries of India. *The Munitions Board,* formed to purchase the essential requirements of war, adopted the policy of buying Indian goods. The government appointed an *Industrial Commission* in 1916 to consider this question. It recommended that the government should take active steps for developing industries. In their opinion, the government should conduct research; undertake a survey of the possibilities of different industries; provide commercial information, and open technical schools and colleges; and patronise Indian goods. These recommendations were accepted by the government. It created the Indian Stores Department to purchase stores on behalf of the government. The department gave preference to Indian goods.

A *Department of Industries* was started in every province, State Aid to Industries' Act.

and was entrusted to the care of a Minister. This department conducted surveys of industries in the province, and gave advice and information to all those desiring to set up industries. Some State governments (including West Bengal) passed *State Aid to Industries Acts.* These Acts authorised the government to advance loans to industrial concerns. Some funds have been invested in this way. But nothing substantial has been achieved by these loans.

Discriminating protection.

In 1924, the Government of India adopted the policy of *discriminating protection,* following the recommendations of the Indian Fiscal Commission. Protection was granted to some industries, *viz.,* iron and steel, paper, sugar, matches, cotton textile industry, etc.

During the second world war, the government took more active steps to develop Indian industries. It started the *Board for Scientific and Industrial Research* to carry on research in industrial matters. It established a Post-War Reconstruction Committee to co-ordinate the industrial development after the last war.

After the establishment of independence in 1947, the government is now taking more interest in the industrial development of the country. It issued in 1948 a statement on the Industrial Policy of the government. According to this statement, the government promised to take all steps necessary for the development of industries. To solve the difficulties faced by the industrialists with regard to the supply of finance, the government proposed to set up an Industrial Finance Corporation. The Industrial Finance Corporation has been established with capital subscribed by the central government, the Reserve Bank of India, other banks and financial institutions. Provisions have been made for the establishment of State Finance Corporation in each State for financing small and medium-sized industries. The policy of protection would be suitably revised to encourage a more rapid development of industries. The government also proposed to assume certain powers over the industries in the interest of ensuring their smooth development.

As regards the policy of nationalisation of industries, the statement divided industries into four groups. In the first group will be those industries whose ownership would be kept in the hands of the State, as it would not be desirable to allow them to be worked under private enterprise. In the second group would be those industries like iron and steel, where the existing firms would be allowed to remain in private ownership. But all new undertakings would be started under State ownership. The third group would include a large number of industries where the government would exercise control in certain directions. Lastly, the other industries would be left to private enterprise. Thus nationalisation of industries would be undertaken only with respect to a small number of industries. The vast majority of industries would be left to private enterprise, subject to a large measure of control by the State.

Discriminating Protection

In 1922, the government appointed the Indian Fiscal Commission to consider the question of the adoption of a policy of protection. They advanced the following arguments in favour of such a policy.

Arguments for Protection. Indian opinion is consistently protectionist. The theoretical free trader hardly exists in India.

Infant industries' argument.

The *infant industries' argument* is of special application to India. India is very rich in raw materials and has immense possibilities of developing her industries, some of which have just been established. These are often unable to withstand the competition of highly organised industries of the western countries and Japan. Hence it is desirable to protect the infant industries of India against foreign competition.

Diversification of industries' argument.

Secondly, the policy of protection is advocated on another ground. India is mainly an agricultural country. Too much dependence on one industry is highly undesirable. Agricultural income is uncertain as it depends on monsoons. The development of industries is therefore urgently necessary in order to remedy this excessive dependence on agriculture. Such an all-round growth of various types of industries will make possible the development of all types of faculties of people. Diversification of industries will lead to the diversification of talents. The total income of the people will increase. It is recognised on all hands that unless India is industrialised, her people will remain poor. The development of industries is not possible unless these are granted protection against the competition of well-established foreign industries.

Discriminating Protection. But as protection imposes heavy burden on consumers who are already poor, the Commission did not recommend that protection should be granted indiscriminately to all industries. They advocated what was known as the policy of *discriminating protection*. Care is to be taken to select right industries which show possibilities of development. The Commission laid down three conditions which should be satisfied before an industry was granted protection.

Conditions for the grant of protection.

(*i*) "The industry must be one possessing natural advantages, such as, an abundant supply of raw materials, cheap power, a sufficient supply of labour and a large home market."

(*ii*) "The industry must be one which, without the help of protection, is not likely to develop as rapidly as is desirable in the interests of the country."

(*iii*) "The industry must be one which will eventually be able to face world competition without protection."

If any industry satisfied these conditions, it should be granted protection by the government. Before an industry is granted protection, an enquiry should be held by a special Board to examine whether it satisfied all the three conditions. The Board is to be called the *Indian Tariff Board*. It should consist of three members to be appointed by the government. The Board should examine

Tariff Board.

the case of each industry which applied for protection. If it was satisfied that the industry required protection, it should recommend suitable measures to the government.

Which industries have been granted protection?

Many industries have since been granted protection. The first to receive protection was the Iron and Steel industry. This industry is now fully developed and is in a position to face world competition. The Paper industry, the Match industry, the Cotton Textile industry, the Sugar industry have all been granted protection. The development of the Sugar industry has been phenomenal. Within 10 years from the grant of protection, the industry is now in a position to meet the home demand for sugar.

Imperial Preference. This policy has been adopted since 1932. According to this policy, the Government of India levies lower rates of import duties on British goods and on the goods sent by the empire countries, and higher rates on goods sent by other countries. In return, the British government and other countries of the British empire will also grant similar preference to Indian goods. The purpose of this policy is to encourage the growth of trade and industries of the British empire.

This policy is opposed by Indian opinion. India is not likely to gain much by adopting such a policy. But in spite of this opposition, the government formally adopted this policy at the time of the *Ottawa Agreement* in 1932. According to this Agreement, the Government of India agreed to follow the policy of Imperial Preference. They decided to levy lower rates of import duties on British goods than on non-empire goods. The British government also agreed to levy lower duties on Indian goods This agreement was denounced by the Indian Legislative Assembly. Later it was replaced by the *Indo-British Trade Agreement.* According to it, a large number of British goods were granted preference in India in return for similar preference granted by Great Britain to India.

CHAPTER 9

RAILWAYS AND COMMUNICATIONS

Systems of Transport. The efficiency of the productive organisation of a country depends, to a large extent, on the means of communication. This is true specially in India which is a country of long distances. Without adequate transport facilities, it is not possible to transfer goods and passengers within and from the country. It is necessary therefore to examine how far we possess modern methods of transport by rail, road and sea.

Railways. The beginnings of the Indian railway system can be traced to 1844 when the East India Company gave sanction for the construction of the E. I. Ry., G. I. P. Ry., and the Madras Ry. Lord Dalhousie, who was the Viceroy of India, submitted a despatch in 1853 advocating the construction of railways in India. By the end of 1859, the government entered into contracts with 8 British companies for the construction of railways in India.

Guarantee system.

The companies were reluctant to start operations in India. So the government gave a financial guarantee that if they failed to earn profits at the rate of 4½ to 5 per cent, it would pay the deficit. When the companies earned profits at a higher rate, half the excess should be paid to the government. It supplied land free of cost to the companies. The government also reserved the right to control and supervise the railways and to purchase them at the end of 25 years. This system is known as the *Guarantee system.*

This system involved the government in huge losses. The railways did not earn sufficient profits to meet the guaranteed interest. And the government had to make up the deficit from the general revenues. They decided afterwards to construct railways from their own funds. But this was again abandoned and new contracts were made with the railway companies guaranteeing interest at a lower rate (usually 3½ p.c.). The railways began to earn good profits from the beginning of the 20th century.

Later, after the last world war, the government decided on the policy of state management of railways. One by one almost all the important railways have been acquired by the government, and they are all under government management. During the last world war, the government has succeeded in paying off all the railway debts. The Indian taxpayer is now the full owner of the railway system of the country.

Railways led to the decline of cottage industries.

Effects of Railways. Originally the railways were constructed to facilitate British trade with India. But whatever the initial impulse, these have exercised a far-reaching influence on the economic life of India. The immediate effect was not always beneficial. The rapid construction of railways made it possible for the British manufacturers to send their machine-made goods to the remotest corner of India. These goods were cheaper in price and our old cottage industries were unable to compete with them. So they succumbed one by one. The railways have therefore been an important cause of the decline of our cottage industries. This has affected our villages and our agricultural system. The artisans were thrown out of employment as a result of the decay of their industries. So they had no other alternative but to take to agriculture as the means of their livelihood. The pressure of population on agriculture increased, and the land was sub-divided into small plots to meet the demand of the growing agricultural population. We know that such sub-division is an important cause of the backwardness of agriculture. Secondly, the railways have exercised adverse effects on the village life in another way. The railway bridges obstructed the natural flow of the rivers. Many experts are of opinion that this is one of the important causes of the frequent floods which occur in the rivers. The high railway embankments have also obstructed the natural drainage of the country. Many places have been water-logged as a result, and have become breeding grounds for malarial mosquitoes. As a consequence, the health of the country-side has deteriorated, and the village people are suffering from malaria.

They obstruct the natural drainage.

All this is no doubt bad. But railways have also conferred immense benefits on the people. We have seen just now that railways have affected our agriculture in an adverse way. But they have also exercised a beneficial influence. They have linked the villages with the distant markets of the world. The market for agricultural products has become world-wide. Cultivation is no longer carried on to satisfy the needs of villages or surrounding places, but for the purpose of sale in the world markets. Cultivators can now get a better price for their crops with the widening of markets. Railways have also favoured the cultivation of many crops like jute, cotton, etc., by making it possible to export these to world markets. Agriculture has become commercialised.

Advantages.

They have benefited agriculture.

The village people have gained in another way. The railways provide protection against the ravages of famines. If crops fail in any part of India, people will not have to starve. Food can be easily brought to those places from other parts of the country.

Protection against famines.

Similarly, with regard to industries, the railways have not been an unmixed evil. Though some cottage industries have declined, other industries have sprung up as the result of the improved means of communication. The growth of large-scale industries would not have been possible without the railways. The latter bring coal, oil and the raw materials to the industries at a cheap rate, and distribute their finished goods among the different parts of the country. Without railways, the tea plantations of Assam and West Bengal, jute industries, etc., would not be able to obtain labourers in sufficient numbers. The modern industries are dependent on railways in such a way that the growth of industries without railways is unthinkable.

They have facilitated the development of industries.

The railways have increased the volume of our exports and imports. Crops from all parts of the country are sent *via* the railways to ports and world markets in larger volumes than before. By opening up the remote parts of the country, they have also widened the markets for foreign goods. Hence our foreign trade has increased in volume. The railways also yield a decent sum of revenue to the government of India, and have increased the wealth of the country in many other ways.

Social effects.

The railways have broken down the isolation of the Indian villages. People now move freely, and migrate from place to place. Free mixing with other people is enlarging their vision, and makes them aspire for a better life. It is breaking down their conservatism and caste prejudices. In this way the railways have been an important factor in moulding the diverse population of India into one nation.

Extent of Railways. In spite of such railway development, the position in our country is not at all satisfactory. We have over 33,084 miles of railways. The Government have invested about Rs. 702 crores in railways. But this is inadequate to satisfy the present needs of India. America has got about 250,000 miles of railways. We possess about 20 miles of railway lines for every 1,000 square miles. But England and Germany possess about 195 miles of railways for the same area. We require at least 100,000 miles of railways. There is thus an immense scope for the construction of railways in our country.

Importance of roads.

Roads. These are the next important form of transport. Good roads will link the villages with big towns and ports, and thus make it easy for cultivators to send their produce to big markets. The progress of agriculture therefore depends on the existence of good roads. The development of motor traffic has increased the necessity of good roads. Transport by cars and lorries is quick and efficient, and can serve the interior villages in a better way than the railways. But most of these places do not possess motorable roads. So it is necessary to build more roads. The government is slowly awakening to this necessity. It has levied higher duties on petrol in order to have funds for the development of roads. The proceeds of these duties are made over to the Provincial Road Boards whose duty is to construct new roads and to maintain the old ones. But the progress is very slow.

Shipping. Ships constitute an important form of transport. India was once famous for her ship-building. Her vessels sailed over the distant seas and carried trade with many countries. But with the advent of the British Raj, this industry has declined. India is now dependent on foreign countries for shipping her goods. In recent times, one or two shipping companies (*e.g.*, the Scindia Steam Navigation Co.,) have been started. But these are confined more or less to the coastal trade. India's share in the overseas trade is practically insignificant. Until recently, there was no suitable ship-building yard for large ships. One has been started at Visakhapatam three or four years back, and we can expect some progress in this direction.

India is very backward in shipping.

The necessity for an Indian mercantile marine is obvious. No first class nation can make progress without her own ships. India possesses large natural facilities for ship-building. With her own ships, she will be able to save large sums of money which are paid every year to foreign shipping companies for freight and passengers. This will open new avenues of employment for her people. A mercantile marine is indispensable during periods of war. The government has given up its old policy and is now rendering active help for the construction of ships and the training of Indians in seamanship. The coastal traffic should be reserved for Indian shipping.

Necessity for an Indian mercantile marine.

Other Means of Communication

Civil Aviation. Civil aviation is assuming great importance during the last few years. Transport by aeroplanes provides speedier transport than railways or motors. In view of the vast size of our country, we require this form of speedy transport more than any other country. Moreover India is the link for inter-continental air traffic between Europe and Asia and Australia. Before the war, the British Airways and Indian Trans-continental Airways Ltd., operated air services between India, England and

Australia. The Dutch K. L. M. Air Service flew planes between Amsterdam and Bandoeng and Paris to Hanoi. Within the country, services run between Bombay, Delhi and Ahmedabad by Tata Air Lines ; between Bombay, Poona, Kolhapur and Porbunder by Air Services of India Ltd. There were weekly or bi-weekly services between Delhi, Lahore, Karachi, and Calcutta by the Indian National Airways Ltd. There was also an air service run by the Nizam government. As yet this is a very small affair. It is necessary to have a civil aviation plan in the post-war period.

Wireless and Radio. Wireless and Radio are important means of communication in a country. Wireless is of recent growth in India. But there has taken place a good deal of extension of this important means of communication. The number of radio listeners has increased from 72,282 in 1939 to 1,80,660 in 1944. The All-India Radio has nine stations and twenty transmitters. Bdoad-casting has immense possibilities in our country. The vast majority of the people cannot read or write. So until they are educated, the only way to approach them, or teach them the rules of rural reconstruction is through the Radio. Our organisation should be such that every village should possess at least one radio set in a central position, where the village folk can assemble after the day's work, and listen to the Radio and learn.

Posts, Telegraphs and Telephones. These are also very important means of communication. These means of communication are under the control of the Director General of Posts and Telegraphs, who works under the orders of the Government of India. There were 25,671 post offices in our country (in 1942-43), engaging 134,578 men in various ways. These post offices have handled, in 1942-43, about 692,906,992 letters and 479,804,284 post cards. The total mileage of telegraph and telephone wires amounts to 556,000 miles in India.

The Post Offices not only handle the mails, they also provide banking facilities to the people who can deposit their savings in the Post Office Savings accounts. They also help in the remittance of funds from one part of the country to another through the system of money orders and postal orders. In 1942-43, the total value of money orders issued by the Post Offices amounted to more than Rs. 112 crores. The total amount deposited with the Savings Banks in 1942-43 amounted to more than Rs. 22 crores. They also maintain a system of Postal Life Insurance and sell quinine to improve the public health of the country.

The Post Offices have attached to them Telegraph Offices. The Department has also acquired all private telephone companies operating in India in the cities of Calcutta, Bombay, Madras and Ahmedabad. It maintains a system of Trunk telephones, connecting the important cities of India, which are scattered throughout the country. This Department also yields good revenue to the central government.

CHAPTER 10

INDIA'S FOREIGN TRADE

Favourable balance of trade.

Features of Foreign Trade. India conducts a large volume of trade with foreign countries. In 1951-52 the total value of imports into and exports (including re-exports) from India amounted to Rs. 960·0 crores and Rs. 734·13 crores respectively. Thus the balance of trade was unfavourable to the extent of Rs. 225·88 crores (including private treasure). In 1944-45 the favourable balance amounted to Rs. 28 crores. The last was the normal feature of India's foreign trade. The balance has tended to become unfavourable only in recent years. What are the reasons for the existence of the favourable balance of trade?

Reasons for favourable balance of trade.

The main reason for the favourable balance in pre-1947 years is that India was a debtor country, and borrowed large sums of money from England. So until recently, she had to pay large sums of money on account of interest and principal. Therefore, she had to send more goods than she imports on account of these debts. Secondly, India had no ship of her own, and almost the whole of her foreign trade was carried on in foreign ships. India had to pay to these countries on account of freight and passenger fares. Thirdly, we utilised every year the services of a large number of foreign banks and insurance companies, mostly British, and for this we had to pay large sums of money to these countries. Lastly, India had also to pay to England on account of "Home Charges". These were the payments which India had to make England to meet the expenses (*a*) incurred in maintaining the establishment of the Secretary of State for India; (*b*) on account of the pensions of retired officials; (*c*) incurred in the purchase of stores in England; etc. Every year India had to pay about £30 million on this account. Hence she had to send more goods to foreign countries to pay for these items in her balance of accounts.

But the recent tendency has been the emergence of unfavourable balance of trade. Thus in three years, 1949-51, the balance of trade was unfavourable in two years. But we know that before 1947, the balance of trade was usually favourable. What are, then, the reasons for this change in our balance of trade?

Why has India an unfavourable balance at present?

The most important reason was the import of large quantities of food-grains from foreign countries. On account of a variety of reasons, India is now heavily short in food-supply, and has to import large quantities of food. In 1951, India imported 4·7 million tons of food-grains at a cost of Rs. 200 crores. Since the deficit in the balance of payments amounted to Rs. 225 crores in 1951, we can easily see that India would have a favourable balance in the absence of food-imports. Secondly, the partition of the country has created some difficulties. As a result, the main jute-growing and cotton-growing areas are in Pakistan, and from the position of an exporter of raw jute and raw cotton, India has become an importer of these goods. In fact, in 1951, India had a trade deficit with Pakistan to the extent of Rs. 46·9 crores.

Export of precious metals.

India's foreign trade showed another peculiarity upon the year 1931. She imported every year large quantities of gold from foreign countries. This was an ancient feature of our trade. But since 1931, India has begun to *export gold* to other countries. So this tendency has been reserved.

Preponderance of raw materials in exports.

There was another peculiar feature of our foreign trade. In the 18th century, our exports consisted mostly of goods manufactured in our cottage industries. But with the decline of these industries we began to export large quantities of raw materials like jute, cotton, and food-crops like rice, etc. Our imports consisted mainly of manufactured goods. This tendency continued till the beginning of the last world war. But a slight change in this tendency has become evident during the last war. The percentage of manufactured goods is increasing in our exports. We are now sending more manufactured goods and less raw materials and food-stuffs, and bringing more of the latter from foreign countries.

Large trade with England.

The last world war closed our trade with Germany, Italy and Japan, and the countries occupied by them. So naturally our trade with Great Britain and the British Empire countries is increasing. Our trade with America has also increased considerably. Before the last war, the major portion (55 p.c.) of our trade was conducted with the British Empire.

Chief Articles of Export and Import. Among goods that are exported, mention may be made of the following articles, *viz.*, jute, cotton, tea, food-grains and flour, oil-seeds, hides and skins, lac, wool, tobacco, mica, rubber, coir, fruits and vegetables, hemp, spices, coffee, silk, etc.

Jute.

Cotton.

Exports. *Jute* is exported mainly in the form of jute manufactures like gunny bags, hessian, etc. The chief buyers of jute are England, America, Australia, Burma, other British Empire countries, Japan, France, Germany, Brazil, Argentina, etc. In 1951 jute goods worth Rs. 5.22 crores were exported, forming 24 per cent of the total value of our exports. *Cotton* is also exported in the form of cotton manufactures. Cotton manufactures are sent to Burma, Ceylon, Straits Settlements, Egypt, Iran, Iraq, etc. In 1950-51, cotton worth Rs. 131·5 lakhs was exported, forming 21·9 p.c. of the export. *Tea* is exported mainly to England which takes about 90 p.c. of the exports. Next come Canada, Burma, America, Iran, etc. India exports nearly 75 p.c. of her total production of tea. In 1950-51 tea worth Rs. 78·07 crores was exported. *Food-grains* consist of rice, wheat, pulse, barley, jowar and bajra, etc. These are bought by Ceylon, Arabia, Iraq, Iran, England, Germany, etc. *Oil-seeds* consist of linseed (exported to England, France, Australia, Belgium, etc.), *castor seed* (sent to England, America, etc.), sesamum, etc. In 1950-51, oil-seeds worth Rs. 17·24 crores were exported. *Hides and skins* are exported both in the raw and tanned form, chiefly to England, America, Italy, Germany, etc. In 1950-51, leather goods worth Rs. 25·36 crores were exported. *Lac* is sent to America, England, Germany, etc.

The value of exports of raw materials was Rs. 120·45 crores; that of manufactured goods was Rs. 306·05 crores; and that of food articles was Rs. 130·89 crores in 1950-51.

Imports. These consist of cotton and cotton goods, machinery and mill-work, wool, paper and paste-board, hardware, dyes, drugs and medicines, instruments and apparatus, glassware, tobacco, spices, provisions, liquors, timber, grain, pulse, flour, etc.

Cotton, raw and manufactured.

Both *raw cotton and cotton manufactures* are imported into India. The former consists both of short-stapled variety imported from Pakistan and of fine cotton of long-stapled variety which is imported from British East Africa, Egypt and America. The manufactured goods (*e.g.*, cotton yarn, piece-goods, etc.) are imported from England, Japan, China, Switzerland, Holland, Belgium, Italy, etc. In 1950-51, the value of these imports was Rs. 102·85 crores, forming 15·9 p.c. of the total value of imports. Both raw *wool* and manufactured *woollen goods* of the value of Rs. 7·20 crores were imported in 1950-51. These were brought from England, Japan, Italy, Germany, France, etc. Both raw *silk* and manufactured *silk goods* (yarn and piece-goods) are imported from China, Japan, England, Italy, etc. India also imports large quantities of *artificial silk-goods* from Japan, Italy, England, etc. *Machinery and mill-worth* include various kinds of electrical, agricultural, sugar or tea machineries and parts, etc. The value of these goods imported in 1950-51 was Rs. 84·37 crores. England, America, Germany, Belgium were the principal countries which supplied them. India also imported *instruments and apparatus* from England, America, Japan, etc. *Hardware* of the value of Rs. 14·34 crores was imported from England, America, Japan, Germany etc. *Drugs and medicines* were brought from England, Germany, America, Japan, etc. *Paper and paste-board* were imported from Canada, America, Norway, Sweden, Japan, etc. The total value of all imported goods was Rs. 566·57 crores in 1950-51. The value of imports of manufactured goods was Rs. 258·03 crores; that of food articles was Rs. 104·14 crores; that of raw materials was Rs. 196·48 crores.

Invisible items in the balance of accounts: In addition to the export and import of goods, there are other items in the balance of accounts of India. Since these are not published in the usual accounts of foreign trade published by the government, they are known as the 'invisible items'. These are: (*i*) the payments which India has to make to the foreign banking and insurance companies whose services are utilised by Indians; (*ii*) payments made to foreign shipping companies which carry our exports or bring out imports, (*iii*) payments that we receive on account of the foreign tourists who come to India, or (*iv*) the payments that we have to make to foreign countries on account of Indian students who study abroad, or Indian tourists who go to see these countries; (*v*) the payments on account of interest and repayment of capital on the debts granted by us to foreign countries or granted to us by other countries. These are some of the invisible items in our balance of accounts.

Trade with Different Countries

England sends cotton goods, machinery and mill-work, drugs and medicines, hardware, provisions, dyeing and tanning substances, paper and paste-board, rubber manufactures, tobacco, etc., to India. She takes raw jute and jute manufactures, hides and skins, raw cotton, linseed, ground-nut and other oil-seeds, tea, wool (raw and manufactured), tobacco, coffee, lac, raw rubber, coir manufactures, etc. She is our best customer of raw jute, jute bags, tea, linseed, hides and skins, etc.

Burma occupies an important place in our trade. She sends rice, oil, teak-wood and buys cotton and jute manufactures, iron and steel, tea, sugar, coal, etc. She is our best customer in coal and cotton piece-goods.

Japan. Her percentage in our total trade was 9·4 p.e. in 1938-39. She exported cotton manufactures, silk manufactures, artificial silk, woollens, glasswares, hardware, machinery and mill-work, toys, rubber manufactures, paper and paste-board, etc.

She was our best customer of raw cotton and pig iron. She also took jute (raw and manufactured), mica, lac, hides and skins, etc.

America is third in importance. She is our best customer in lac, raw skins, hessian cloth, and also buys raw cotton, raw and manufactured wools, tea, fruits and vegetables, etc. She sends machinery, dyeing and tanning substances, instruments, paper and paste-board, raw cotton, rubber manufactures, hardware, copper, oil, etc.

Germany was fifth in the list before the last world war. She bought raw jute, raw cotton, ground-nuts, oil cakes, linseed, hides and skins, lac, tea, coir manufactures, etc. She sent machinery, dyeing and tanning substances, instruments, drugs and medicines, hardware, paper and paste-board, rubber manufactures, glassware, cutlery, etc.

France bought raw cotton, jute (raw and manufactured), ground-nuts, hides and skins, coffee, coir, lac, pulses, etc., and sent liquors, machinery, dyeing and tanning substances, cotton manufactures, drugs and medicines, woollens, silk goods, toilet requisites, etc. *Soviet Russia* sent tea-chests, etc., and bought raw, jute, tea, etc., from India. *China* imported raw cotton, jute goods, etc., and exported cotton piece-goods, silk goods, etc. *Australia* buys jute-bags and cloth, hides and skins, tea, etc., and sends horses, raw wool, provisions, wheat, etc. *Ceylon,* our neighbouring island, sends copra, cocoanut oil, tea, fish, seeds, etc., and buys from us rice, cotton goods, coal, pulses, fruits, etc.

Pakistan occupies the third place in point of importance. Pakistan's imports from India are coal, cotton piece-goods, iron and steel, sugar, mustard oil, jute manufactures etc., and exports raw jute, raw cotton, hides and skin, gypsum, etc. to India.

CHAPTER 11

POVERTY AND KINDRED PROBLEMS IN INDIA

We are a poor nation.

By this time we have finished the general discussions about the principles of economic theory. We have also made a realistic study of the economic conditions of our country. The great practical question which stares us in the face is the absolute poverty of the masses of India. The average yearly income of Indians was estimated to be about Rs. 225 in 1948. Compare this wretched figure with the figures of national income in other countries. In the U. S. A., the average income per head is estimated to be Rs. 6345; in England, it is equal to Rs. 3300; in Japan, it is equal to Rs. 500. The income of the majority of Indians is less than Rs. 225, as the major portion of the total national income goes to the pockets of the small number of rich persons. From this it is easy to understand the conditions in which the masses live in our country. The supreme task which faces every student of Indian economics is to find out the causes of such poverty, and to take steps to raise the standard of living of the people.

Social causes of poverty.

Causes of Poverty. The causes of such poverty are partly social, partly economic and partly political. According to the existing social customs, a man has to spend large sums of money during the *sradh* ceremonies of his parents, or to celebrate the marriage of his children. He has to give feasts to a large number of persons belonging to his caste, or indulge in much foolish expenditure beyond his capacity. In this way, the savings of a life-time are spent away, or the man is often obliged to borrow. This is not a desirable custom, and will go only when the people are properly educated. The economic causes are the excessive dependence on land, low agricultural productivity, backward industrial conditions and the excessive growth of production. We have already seen that about 69 per cent of the total population derive their livelihood from land. The number of people who want to live by land has increased enormously and

Excessive dependence on land.

as a result, there is not enough land for everybody. This, along with our laws of inheritance, is causing an excessive sub-division and fragmentation of holdings. Such small holdings are bound to result in low productivity. Lack of capital investment in land and other defects are also responsible for very low productivity in agriculture. We have seen that on every acre of land we produce the lowest output as compared to other countries of the world. In Japan the yield of rice per acre is at least three times that in W. Bengal, and in China, another thickly populated country like us, it is more than double. Low yield means small income. It has been estimated that the average value of all crops per head of agricultural population is only Rs. 43,—which works out at Rs. 3/8 per month. Owing to the decay of the village industries, the cultivators have seldom any other subsidiary source of income. Out of such meagre incomes, the cultivators have to pay rent to the landlords, and interest at heavy rates to the mahajans from whom they may have borrowed money during *sradh* or marriage ceremonies, or during illness, or when crops failed for some reason. No wonder that the vast majority of the population who try to live on land live in extreme poverty.

Low agricultural output.

As compared to the available resources of our country, the development of industries has been entirely inadequate. Backward industrial conditions means low wages for the workers, and low incomes for the people in general. Unless more industries grow up in our country, the excessive dependence of the population on land cannot be removed. Lastly, it has often been urged that one of the main causes of our poverty is the abnormal growth of population. Any prosperity on the part of the ordinary people is at once swallowed up by the "torrential rain of babies". The causes of such a huge growth of population have already been studied. There are, of course, differences of opinion with regard to the question whether over-population lies at the root of our poverty. There is no doubt that when our resources are properly utilised, it will be possible to support the existing

Backward industrial conditions.

Growth of population.

population at a higher standard of living. But it is also clear that if the present rate of growth of population is checked, our effort to solve the problem of poverty will become easier.

Political causes.

There is no doubt that the absence of a truly national government in our country was an important cause of the existence of poverty. As we shall see presently, in order to solve the problem of poverty, it will be necessary to take steps to bring about suitable changes in our social customs, and a fundamental change in our economic organisation. A foreign government does not possess the confidence of the people, and so cannot be expected to go to such a length. Apart from this, the fact was that the Government of India had shown an extreme lack of sympathy with the causes of the people. They had been indifferent to the development of industries in our country. One by one our cottage industries were ruined, and until recently, the government did practically nothing to keep them alive. They made only lukewarm efforts to improve agriculture. Lastly, we had to support an expensive system of administration for the benefit of a few Britishers. The scales of salaries paid to the public servants were abnormally high as compared to the average level of money incomes in our country. The average Indian enjoyed only one luxury in life,—the luxury of supporting an expensive system of administration.

Remedies.

The establishment of a truly national government is absolutely essential for the solution of the problem of poverty. A national government will enjoy the confidence of the people, and so will not be afraid to bring about fundamental changes in the social and economic organisation of the country. In fact, the problem of poverty cannot be adequately solved without a veritable social and educational reform in India. The basis of everything is knowledge. Without the spread of education among the masses it is idle to expect any lasting improvement in their conditions.

Education.

The apologists of the British Government have often ascribed our poverty to many factors in our character, habits and social customs. When the light of knowledge is not burning, many superstitions may be born in the darkness of ignorance. Those who have persistently neglected to educate the masses should not now blame them if they are superstitious. The proper remedy lies in the spread of education among the people. Every Indian must be taught to realise that any barrier of caste or creed should not be allowed to stand in the way of the betterment of the individual and the society. Next, it is necessary to initiate positive measures of improvement in agriculture and industry. These have already been discussed in previous chapters. Vigorous steps should be taken to develop a large number of industries in our country. This will increase the wealth of the country, and draw off the surplus population from the land. Steps should also be taken to improve agriculture by solving the problem of sub-division and fragmentation of holdings, and by modernising the methods of cultivation. The supreme need of the country is to devise an *economic plan* for the all-round betterment of the people.

Middle Class Unemployment

One important problem which agitated the minds of people before the last war was the serious extent of unemployment among the educated middle classes of the country. This unemployment is usually confined among the educated people, *i.e.*, those who have passed out of the schools and colleges. It assumed serious proportions, and agitated the public mind continuously for several years. Many committees were appointed in different provinces to examine this question and to suggest remedies. The extent of unemployment was very distressing. It was found on many occasions that even when posts carrying small salaries of Rs. 30 to Rs. 40 were advertised, hundreds of applications were usually received by the parties. It has been estimated that the proportion of educated men seeking employment to the number of jobs available is roughly two to one. Every year thousands of students were passing out of the schools and colleges. But the number of vacancies did not increase very much. The mentality of these classes was such that they would not accept anything but soft jobs in the various professions, or posts in the public services. Hence the problem assumed serious proportions.

The presence of such a large number of unemployed people is a serious evil. Individuals who are unable to find suitable jobs after spending much time and money in their education feel a keen sense of injury and disappointment. From being unemployed, they become unemployable. Apart from this individual suffering which is caused by unemployment, the existence of such a large number of dissatisfied youths is very dangerous to the people and political stability of the state. It is therefore essential to find out suitable remedies for removing these evils.

Causes of unemployment.

Before prescribing remedies, it is essential to find out the causes of such unemployment. It has been urged that our educational system is an important cause of unemployment. The present system of our education is such as to qualify people almost exclusively for the clerical occupations, and for the public services, while it neglects technical and scientific education. There is much truth in this criticism. Not only the so-called middle classes, but the agricultural, artisan and backward classes fell under the spell of this fascination. They also began to send their children to schools and colleges with a view to get them into the government services and other learned professions, and thus promote themselves to the class of "gentlemen". Thus while more and more people were flocking for these jobs, the number of such jobs did not increase in the same proportion. Such was the social tradition that the sons of the middle class parents could not demean themselves by accepting jobs involving manual labour. Unfortunately owing to our dependent status, posts in the army, the navy and the air forces, which provided occupation for many people in the western countries, were not open to Indians. These were kept specially reserved for the Britishers. So the number of jobs available for the people belonging to the middle classes was smaller than in other countries. This fact aggravated the problem.

Backward industrial condition.

Another important cause is the extremely backward industrial condition of our country. In the western countries, industries provide many jobs to the middle classes and the labouring population of those countries. But in our country, industries have not been developed to the desirable extent. Hence even if arrangements are made for imparting technical training on a large scale, it may be difficult to provide suitable jobs for such men owing to our industrial backwardness. The question of unemployment is thus ultimately reduced to that of the backward industrial condition of our country.

Social outlook.

The mentality of this class and the social atmosphere are also responsible to some extent. Until recently middle class parents preferred that their sons should take up a safe, salaried job rather than follow a business career with all the attending uncertainties. Occupations involving manual labour, or requiring technical training are looked upon as undignified by these communities.

Recommendations of Sapru Committee.

Many remedies have been proposed from time to time to solve this problem of middle class unemployment. The Sapru Committee appointed by the U. P. Government have proposed that the present system of education should be improved in various directions. Many students who are unfit for university careers nevertheless go on pursuing their studies in the colleges. Therefore the committee suggested that the High School examination should have two kinds of certificates, one qualifying for admission to Arts and Science Colleges, and the other qualifying for the subordinate branches of Government service and for admission to industrial, commercial and agricultural schools. The syllabus of study in the secondary schools should be more diversified, and in the universities greater emphasis should be laid on scientific and vocational education. The facilities for practical training should be extended by the establishment of institutions for imparting such training. The committee also suggested the establishment of *Appointment Boards* for university graduates. These Boards can bring about a better adjustment between supply and demand. The unemployed would register their names with this Board which would then try to provide them with suitable jobs. The employers should notify their vacancies to these Boards. In this way it is hoped to provide more jobs for the youngmen. Such Appointment Boards have been established in many universities and States.

Appointment Boards.

Other attempts have also been made to solve this problem. Many thinkers have suggested that the youngmen should be settled on the land where they should be encouraged to pursue scientific methods of cultivation. ***Farm colonies*** consisting of the educated unemployed should be established in those parts where land was available in sufficient quantities. But the main difficulty of adopting this policy is that it is not always easy to find enough land to settle the educated unemployed. There is already too much pressure of population on land. Another remedy that has been proposed is that the young men should be encouraged to develop the small, *cottage industries* of our country. The Government of Bengal adopted a scheme for the purpose of providing vocational training to the *bhadralok* youths in a number of small industries like brass and bell-metal industries, pottery, umbrella-making, etc. This is, of course, a step in the right direction.

Farm colonies.

Cottage industries.

The ultimate solution of the problem of middle class unemployment is dependent on two factors; the development of industries, both large-scale and small-scale, and a change in the social psychology of the *bhadralok* class. If the industries are properly developed, these will provide many jobs for the educated unemployed people. It makes it all the more necessary to adopt some sort of an Economic Plan for the development of industries. There must also be a radical change in the general outlook of this class of people. The boys should not hanker after salaried jobs, but should have the boldness to strike out new paths. The fatal fascination exercised by posts in the public services should go. The young men should realise the dignity of labour and

Change in social outlook.

should adopt business careers. What is required to solve this problem is thus a change in social outlook and large-scale industrial development.

Economic Planning and Poverty

What is a plan?

Poverty of the masses of India is proverbial. All persons who love India should put their heads together, and devise suitable schemes to solve the problem of poverty. The Communist Government of Russia had to face similar problems in their country. There were the same poverty, the same food problem, the same famine in their country. But the Russian people were fortunate in possessing a really national government whose members were fired by a zeal to better the conditions of the common man. The Communist Government formed a scheme for the rapid development of industries and agriculture in their country. First of all, they decided upon the aims to be pursued, and settled which industries were to be developed, and at what rate. All these were laid down beforehand, and then steps were taken to carry out the details of the *plan* as it was called. These plans were then carried out successfully. Russia has been able to increase her national income and to raise the standard of living of the people.

"The Bombay Plan".

It has been urged from a long time that the Government of India should adopt such a plan of economic development in our country. We have seen that the problem of poverty cannot be solved unless we take steps to secure a rapid development of our resources according to a pre-determined plan. An agricultural plan is also essential for enabling us to tide over the food crisis. Up till now the government has done nothing in this direction. But recently a few eminent industrialists of our country have published a plan of economic development of our country in the post-war period. The plan is popularly known as the *Bombay Plan*.

The aim of the plan is to solve the acute problem of poverty which exists in our country. At the present moment, the masses are ill-fed, ill-clothed and ill-housed. They enjoy an average income of Rs. 65 per head. The framers of the plan propose to take steps to secure a rapid all-round development of our resources in such way that at the end of fifteen years (the time taken to carry out the plan), the income per head will be doubled. That is, it will be raised from Rs. 65 to Rs. 130 per head. It will enable us to secure a noticeable increase in the national welfare and living conditions of the masses. Our food production is to be doubled to ensure adequate and balanced diet for everybody. Every person in India now uses only 16 yards of cotton cloth on the average. If the plan is carried out, he will be able to get 30 yards of cloth. As regards housing, every man will get decent accommodation of 100 square feet. Existing houses are to be rebuilt according to this standard, and new houses will be constructed. In addition, more hospitals, dispensaries, special clinics and maternity homes are to be established all over the country so as to provide adequate medical facilities for all. Special arrangements are to be made for the supply of drinking water, and for ensuring better sanitation. A vast expenditure of money will be made to educate the illiterate masses, and the children. This is the central aim of the plan—to guarantee a National Minimum of Welfare for everybody in the shape of an adequate and balanced diet, 30 yards of cloth, 100 square feet of house room, free and compulsory education, and adequate medical and sanitary services. All this is to be achieved in course of a period of fifteen years.

Summary of the plan.

In order to carry out this plan, it is proposed to spend the sum of Rs. 10,000 crores in course of 15 years. The framers of the plan expect to raise such a huge sum from the following sources,—Rs. 300 crores from hoarded wealth of the people, Rs. 100 crores from our Sterling balances and Rs. 700 crores by borrowing abroad. The balance is to be raised from the savings of the people. Of this amount Rs. 4,480 crores are to be invested in the development of industries, Rs. 1,240 crores will be spent for the improvement of agriculture; Rs. 940 crores for the improvement of communications;

Financing the plan.

Rs. 490 crores in education; Rs. 450 crores in the provision of medical facilities; Rs. 2,2000 for housing purposes, and the rest for miscellaneous purposes. Agricultural output is to be increased through consolidation of holdings, co-operative farming, irrigation, improvement in methods of cultivation, etc. The basic industries are to be developed at a faster rate than others. Output from industries will increase by about 500 per cent, and this will reduce our excessive dependence on agriculture.

Some difficulties of the plan.

There are, of course, grave difficulties which must be solved before the plan can be successful. Not the least of such a difficulty is the dearth of really honest and sincere men to carry out the plan. Money is, of course, another difficulty. To raise so much money in course of only 15 years is a difficult task. But it is not insuperable. More difficult things have been done by many governments. The conditions in which the masses live in our country cannot be tolerated any more. Without any education, sufficient food, cloth, and reasonable housing accommodation, they are practically leading an animal existence. Too long we have tolerated such a state of affairs. It can be ended by our joint and co-operative efforts. And it behoves everyone of us who is more fortunately placed to make a supreme effort for the betterment of the lot of our countrymen.

Economic Plans: To plan means to frame a scheme for carrying out a particular purpose or purposes. An economic plan means the formulation of schemes for the development of the resources of a country. The idea is to form a plan for the all-round, simultaneous development of the economic resources at a faster rate than can be achieved under ordinary conditions.

The necessity of framing an economic plan for India has long been recognised in our country. Poverty of the masses of India is proverbial. This problem of poverty cannot be solved unless we take steps to secure a rapid development of our resources according to a pre-determined plan. The first step in the direction was taken by a group of industrialists who published a plan for the economic development of India, known as the

Bombay Plan. The Indian National Congress also set up a Planning Committee for the same purpose, and the Committee have issued a number of reports. In 1950, the Government of India set up the Planning Commission to formulate a plan for the most effective and balanced utilisation of the resources of the country. The Planning Commission issued a draft outline of the Five-year Plan in July, 1951, and invited discussion of the Plan. The final report of the Commission is expected to be published in December, 1952.

The Five-year Plan: The Plan is expected to extend over the period 1951-52 to 1955-56. It provides for the expenditure of Rs. 1,793 crores on various development projects. This amount is to be spent in two parts. The first part involves an expenditure of Rs. 1,478 crores to be spent on the following heads. The primary aim of the plan is to improve agricultural production on which about 43 per cent of the total outlay is to be spent. This is only natural in a predominantly agricultural country like India where about 70 per cent of the population derive their livelihood from land. The development of agriculture requires progress in a number of directions,—*e.g.*, expension of irrigation facilities, application of fertilisers to land, improvements in transport and communication, etc. If the Plan is fully carried, the supply of food grains will increase by 7200 thousand tons, and this, together with a small amount of imported food, will make it possible to raise the level of consumption to about 14·50 acres per adult per day in 1955-56. The output of raw cotton will be sufficient to meet the demand of the Indian cotton mills for domestic varieties. The position in respect of the suuply of other raw materials like jute, etc., will also become much better than at present.

With regard to the development of industries, the plan proposes to concentrate on taking measures for increasing the output of existing industries. Industrial development is to be undertaken mainly by private enterprise, and the main function of the government will be to create conditions suitable for industrial expansion. The government proposes to assist private enterprises with finance in order to secure expansion in steel production, in ship-building; newsprint, etc. It also attaches some importance to the development of cottage industries.

The second part of the plan covers an expenditure of Rs. 300 crores which will be undertaken if sufficient foreign assistance will be forthcoming. Of the total amount to be spent under the Plan, the Central Government will be expected to contribute Rs. 641 crores of which Rs. 211 crores will be paid to the States to assist them in various ways, and the governments of the States will spend about Rs. 400 crores, excluding the sum of Rs. 211 crores to be paid by the Central Government. They will raise about Rs. 1,121 crores. This leaves a balance of Rs. 672 crores to be found from other sources.

When the Plan is carried out successfully, it will enable the country to obtain the same amount of essential consumers' goods as it enjoyed in 1939. This will be due to the fact that there will be an all-round increase in production, the population in the country will also increase during these five years. If we want to attain a higher rate of progress, we shall have to increase the rate of investment considerably. That may not be possible at the present undeveloped stage of our economy.

The Plan has been criticised on the ground that while agriculture has been rightly given the first place in the scheme of development, proper stress has not been laid on the development of industries. A most fundamental defect of our economic organisation is the fact that about 70 per cent of the population depends on land for subsistence. This lack of balance in employment should be remedied through the rapid development of industries, thus drawing away people from agriculture. That will not be possible under the scheme of development proposed in the Plan. In fact, the Plan is silent on the question of securing a proper balance in regard to the pattern of employment in the country.

The Present Food Problem. India is predominantly an agricultural country. According to the census of 1951, about 69·8 per cent of the total population depends on agriculture for their livelihood. But in spite of such overwhelming importance of agriculture, the food situation of the country has been extremely difficult during the past nine years. These years have witnessed the disastrous Bengal famine of 1943 and the existence of near-famine conditions in large parts of the country in the early part of 1951. The people living in the majority of the urban areas of the country have been brought under rationing. These are all evidences of the extreme shortage of foodstuffs in the country. As a result, India has been forced to import large quantities of foodstuffs from other countries of the world and even this is insufficient to meet the needs of the people. Such large imports of foodstuffs have created very great problems in our balance of payments.

This shortage in food supply should not be looked upon as a temporary problem. India's food problem is not the result of a temporary disequilibrium between supply and demand. It is a long-term problem and is the result of the ever-growing pressure of population on the food supply. In fact, even before the last world war, India has begun to import food from other countries. Many factors are responsible for bringing about such a state of affairs. In the first place, the population of the country has been increasing at a very high rate since 1921. Between 1921-31, the increase was 11 per cent; during 1931-41, the rate of increase was 14·3 per cent and for 1941-51, it is 12·3 per cent. But the sown area per person has shown a steady tendency to decline. Between 1911-12 to 1941-42, sown area per person declined from ·88 acres to ·72 acres. Moreover, the available figures point to the conclusion that the average yield of certain food crops has also been declining during these years. Agricultural conditions have reached, more or less, a stagnant state, and the production of food crops has not, therefore, kept pace with the growing population.

The situation has been aggravated by two partitions carried out since 1935. The separation of Burma from India reduced the food supplies by 1·3 million tons. It particularly affected the supply of rice in which India is more deficient than in the supply of wheat. The second partition of 1947 deprived India of large food-growing areas and it has been estimated that as a result of the establishment of Pakistan, our internal supplies of foodstuffs were reduced by ·77 million tons.

While the position was already very serious, it has been further aggravated by a series of misfortune suffered by the country. In the states bordering Pakistan, the problem was complicated by the influx of large numbers of refugees from Pakistan. These refugees had to be fed and supported by the State Governments. Another misfortune was the continuing absence of good rains in different parts of the country, and the occurrence of flood in some areas. The failure of the monsoons for several years was responsible for the emergence of famine conditions in Bihar and some areas of South India.

There was also a shortage in food production throughout world, especially with regard to rice. The output of rice did not keep pace with the growing needs of the world. Hence it became increasingly difficult to import foodstuffs in sufficient quantities to relieve the shortage in India. The necessity to import food created serious problems as our exports were not sufficient to pay for the imports including imports of foodstuffs.

The government has sought to deal with the problems of food shortage in various ways. In the first place, it has continued the policy of rationing of foodstuffs in short supply, thereby limiting the demand as far as possible, and thus preventing abnormal increases in food prices. Secondly, it has adopted a series of measures to increase the locally available supply of foodgrains. The 'grow-more-food' campaign was speeded up and government grants and prizes were given for the purpose of improving the yield of crops. As a long-term measure, various multi-purpose projects like the Damodar Valley Corporation, the Hirakund Dam Project etc., have been undertaken for the better irrigation of lands. When these projects will be completed, they will provide irrigation facilities for large areas and will increase the yield of crops. Lastly, the government is trying to import as much food as is possible to secure from other countries of the world.

The recent five-year plan, therefore, rightly assigns the utmost importance to the development of agriculture. The shortage of foodgrains and raw materials is at present the weakest point in the economic organisation of our country. It will not be possible for India to go on for a long time importing food in large quantities from foreign countries. A real solution of the problem must come along two lines. First, the problem of ever-increasing population must be faced and solved by the country. It is clear that under present condition the existing rate of increase of population does not strengthen the economy but in fact weakens it. So unless the people are educated to adopt measures for the reduction of the birth rate, and so check the growth of population it will be difficult to find a real and lasting solution of the food problem.

Secondly, steps must be taken to increase agricultural production and to improve the yield of crops. The dependence of the cultivators on the monsoons should be lessened through the provision of increased irrigation facilities. The fertility of the soil is to be improved through the application of cheap fertilisers. Small holdings are to be consolidated and the machinery for assisting and guiding the farmers should be improved. These and other steps should be taken to secure a lasting improvement in the agricultural organisation.

CHAPTER 12

NATIONAL AND RELIGIOUS MOVEMENTS

Fundamental unity of India.

It has been the favourite theme of many English writers to stress the great diversities of races, religions and languages in India. But beneath all these diversities India had always exhibited a fundamental bond of unity. She constitutes a well-knit geopraphical unit, with clearly defined boundaries. This fact had tremendous significance for her people who had always felt themselves to be an integral whole from the Himalayas to the Cape Comorin. This sentiment of unity is present in the songs of the Rigveda. It was this sense of unity which impelled the ancient Hindu Kings to start on their campaigns of *"Digvijaya"* (conquest of different parts of India) on the cessation of the rainy season. Twice she was united politically, once under the Maurya Dynasty and a second time in the Gupta Period. Though divided into separate states, India was a unity in religion, customs and civilisation. The conquest of India by the Muslims introduced certain difficulties in the beginning. But India had always exhibited a unique capacity to absorb, or co-ordinate different races, cultures and religions. And slowly and steadily the Hindus and Muslims, springing probably from the same stock, and living side by side, were mutually influencing each other, and coming to an understanding. The Muslim rulers united India, and the greatest of them, Akbar, tried to reach a synthesis between Islam and Hinduism.

This sentiment of fundamental unity has always been an important factor in the development of the feeling of nationalism. But in spite of the existence of this sense of unity, India did not attain the consciousness of a nation until the later part of the 19th century. When the British came to India, she was divided into a large number of independent, or semi-independent states. One by one, these succumbed to the British, and by the year 1849, when the Punjab was annexed, practically the whole of India (with the exception of parts of Burma) had come under the British rule. This unification of the different parts, and the establishment of the common system of administration was also a factor in increasing the sense of unity among the peoples of the different states of India.

Introduction of Western education.

But the greatest factor favouring the growth of nationalism has been the introduction of the western system of education in the wake of the establishment of the British rule. The efforts of the British Government to spread education in our country dated from the year 1781 when Warren Hastings started a Madrasa at Calcutta. A few years after, the missionaries had started a few schools at Serampore, a Danish settlement just outside Calcutta, and founded a printing press. Alongside these missionary efforts, David Hare, a watchmaker, who had made Calcutta his home was instrumental in establishing the Hindu College at Calcutta in 1817 to impart western education to Indian boys. In this task he was helped considerably by a Bengali Brahmin, Raja Ram Mohan Roy, who was rightly regarded as the Father of modern nationalism in India. Ram Mohan Roy was a stern advocate of the introduction of English education in our country, and carried on a strenuous agitation in support of his views. A controversy was going on at this time on the question of encouraging the western or the oriental system of education in India. The controversy was solved in 1834 by Thomas Macaulay, the famous Liberal historian, who was appointed as a member of the Council of the Governor-General. He argued in favour of the introduction of English education. It was his idea to Anglicise India as Rome had Latinised Gaul in the past. The Indians were to be converted into out and out Europeans. They would be English in ideas and culture. From this time the government followed the policy of encouraging English education in India.

Religious Movements. The introduction of English education marks an important epoch in the history of India. The study of western literature and science revolutionised the ideas of Indians. By Anglicising Indian education, Macaulay's Despatch of 1834 created a new class of Indians. The immediate consequences became visible in the religious sphere. The people were steeped in superstitions in the 18th century. They had fallen on evil days, and spiritual life was stagnant. The impact of western culture led to the awakening of the Indian mind from its stupor, and reformers appeared among them to restore the ancient purity of the different faiths.

Brahma Samaj movement.

Foremost among these reformers stood Raja Ram Mohan Roy. Born in 1772 of a Bengali Brahmin family, he devoted himself from his early life to the study of all religions. He learned Arabic and Persian, and came under the influence of Sufism. He studied English, and imbibed the principles of Christianity. All this confirmed his monotheistic tendencies. In 1828, he founded the Brahma Samaj to spread his ideas on the reform of the Hindu religion. He rejected every form of image worship and polytheism. He was also a great advocate of social reform. In 1830, the Samaj established its first temple, where weekly services were conducted, consisting of singing of Vedic hymns, the reading of the Upanishads and a sermon in Bengali. The establishment of the Brahma Samaj was the first impulse towards Indian renaissance. With it was started slowly the process of the liberation of the soul of a people. The chief importance of Ram Mohan Roy's work lay in the fact that he began the fight against the forces of mediaevalism in India. Through him European thought began to penetrate to a constantly increasing circle of Indians.

After his death in 1833, his work was carried on by his friend and colleague, Prince Dwarka Nath Tagore, and the latter's son, Maharshi Debendra Nath Tagore, the grandfather and the father of Rabindra Nath Tagore. The Samaj soon gave birth to another great leader, Keshab Chandra Sen. Entering the Samaj at the age of 17, he soon began to effect bold reforms. His reforming zeal brought him into conflict with the leaders of the Samaj, and in 1865, he left the Samaj, and founded a new Brahma Samaj of his own. The new Samaj was organised on a wider basis. Its doctrine was more universal in character, being greatly influenced by Christian ideas. The society admitted both sexes, and trained missionaries for spreading the new faith. Thus under the inspiration of these great leaders, the Brahma Samaj movement led to the re-awakening of the spirit of the people.

Prarthana Samaj movement.

The inspiration emanating from these leaders spread to other Provinces. In 1867, the visit of Keshab Chandra Sen was followed by the establishment of a similar society, the Prarthana Samaj. Its leaders were Mr. Justice Mahadeo Govind Ranade, Sir R. G. Bhandarkar and Sir Narayana Chandravarkar. Like the Brahma Samaj, the Prarthana Samaj sought to discover, and follow the common basis of all religions, and laid great stress on social reform.

The influence of the Brahma Samaj was, more or less, confined to the eastern parts of India. The impact of the Brahma Samaj and of the west led to the revival of orthodox Hinduism in another form in that part of India. This rebirth is associated with the name of Sri Ram Krishna Deva. Born in 1834 of a very poor Bengali Brahmin family, he became a Sannyasi at a very early age. In order to learn other religions he made friends with a Sufi, and practised the Islamic faith under his guidance. He also followed the precepts of Christianity, living the life of a true Christian. In this way he came to understand the universal truth in every religion, and began to preach that every religion contained essential truths. All faiths, if followed sincerely, would lead ultimately to God. He was without any education, western or Sanskrit. He wrote nothing, and taught his disciples orally. In an age which was falling gradually under the influence of the west he preached the doctrines of ascetism and renunciation. His disciple, Swami Vivekananda, built up a system from his teachings. He preached that the service of God lay in the service of the poor and the distressed, and that man could realise his self through ceaseless service for the common good. He founded the Ram Krishna Mission to carry out this principle of social service. By his trip to the famous World Congress of Religions at Chicago, he raised the status of India, not only in the West, but to a greater extent, among his own countrymen. He taught the youth of India self-confidence, and a great regard for her past. He had a burning love for his country. His speeches and writings have been an important factor in the birth of nationalism in India.

Arya Samaj movement.

Meanwhile the other parts of India were coming under the influence of another movement for religious reform. In 1875, the first Arya Samaj was established in Bombay. Its founder was Swami Dayananda Saraswati, who was born in 1824 of an orthodox Brahmin family of Gujrat. He was a profound Sanskrit scholar, and studied the Vedas. He came to the conclusion that modern Hinduism did not follow the spirit of the Vedas. So he took up the work of reform, and began to preach publicly from 1860. He proceeded on the principle that the Vedas were the only true books of knowledge and every Arya should read and follow them. Veda means knowledge. Since Vedas embody the word of God, so the Vedas consist of God's knowledge, which must be all-embracing. He believed that properly interpreted, the Vedas would be found to contain in them the whole of modern knowledge, including all the discoveries and inventions of recent times. He founded the Arya Samaj in 1875, and tried to revive the ancient Vedic rituals. Thus the movement was distinguished from the Brahma Samaj by its insistence on the infallibility of the Vedas. But this movement was akin to the Brahma Samaj in its schemes of social reform. It opposed the caste system, and preached the equality of all persons, male or female. It demands the abolition of the Purdah, and of the system of early marriages, and supports widow-remarriage. It also demanded equality in the position of women, and wanted to spread education among them. It maintains schools and colleges for boys and girls and many Ashramas for widows and orphans. The Arya Samaj is, of course, a Hindu movement. But its ranks are open to all. It has developed a great missionary activity to convert others into Hinduism. It has branches throughout India, Burma and East Africa, and has a large number of followers in the Punjab, U.P., and other parts of India.

Theosophical Society.

Another religious movement of importance is the Theosophical Society. It was established in 1875 by Madame Blavasky and Col. Oldcott. It was brought to India by Mrs. Annie Besant. It preached the superiority of the Hindu culture and tried to revive the ancient Hindu religion. Its real aim was to found a world brotherhood, without any distinction of race, colour or creed. Its followers belonged to all nationalities.

Religious movements among Muslims.

Hinduism was not alone in experiencing a religious revival in the 19th century. The process also set in among the Muslims. Islam began to awaken from the lethargy into which it had sunk as a result of the downfall of the Mughal empire. The most important among the movements for religious reform among the Mahommedans was the Wahabi movement. It was started in Arabia. Its founder was Mohammad Ibu Abdul Wahib, who was born in Central Arabia at the beginning of the 18th century. He preached a return to the original principles of the Koran. This movement spread to India at the beginning of the 19th century, and its leaders were Syed Ahmed and Ismail Haji Maulvi Mohammad, who imbibed the Wahabi principles during their pilgrimage to Mecca. They decided to reform Islam on the Wahabi model, and started a vigorous movement. Their aim was to revive Islam according to its original principles. This movement roused the Mahommedans from their lethargy, and breathed a new life into their existence.

Wahabi movement.

Ahmadiya movement.

Next came the Ahmadiya movement, started by Mirza Ghulam Ahmad, who was born in 1838 in Qadian, near Lahore. Ahmad declared himself to be the Mahdi, *i.e.*, the messenger of God, as well as the Messiah of the Jews and Christians, and the Avatar of the Hindus. He believed that he had discovered the true Islam, which united all true religions. He declared against the *Jihad*, or the holy war against the unbelievers and preached the brotherhood of people. This movement has also, like the Arya Samaj, founded many schools and colleges, and has developed vigorous missionary activity with a mission in England. Its followers are found mainly in the W. Punjab. Lastly, mention must be made of the *Anjuman-Himayet-i-Islam,* which was established in Lahore in 1885. This movement was started with the purpose of reviving interest in the Islamic religion, and of combating Christian missions.

Anjuman-i-Islam

All these movements of religious and social reformers played a remarkable part in rousing India's national consciousness. They led to the rejuvenation of the spiritual life of the people. These have strengthened national sentiment and increased natural self-confidence. They broadened and enriched men's outlook, and led them to find out the causes of their downfall. By re-awakening India of the past, they paved the way for the emergence of the India of the twentieth century. From religious and social reform, the step to political reform was short. Men who have learnt to question the existing social and religious systems would soon begin to examine their political condition. Moreover, the great religious reformers were intense nationalists. Raja Ram Mohan Roy was also an important political thinker. When the people of Naples were forced into subjection by the Austrian Army, Ram Mohan Roy wrote to a friend in 1829. expressing his distress over this oppression of the people, "From the late unhappy news", he wrote, "I am obliged to conclude that I shall not live to see liberty universally restored to the nations of Europe and *Asiatic nations,* especially those that are European colonies.........". Dayananda and Vivekananda laid great emphasis on national tendencies, and regeneration of the nation. In this way religious reform prepared the ground for the rise of nationalism.

These led to the growth of nationalism.

Other Factors. We have seen that the introduction of English education brought about a ferment in the religious life of the country, and thus contributed to the rise of nationalism. It exercised a more direct influence in another way. The influence of English education and culture led to the creation of a small class of educated Indians. They belonged mostly to the upper class, and

Influence of English literature.

took readily to European education. From religious and social reform, they were led, easily and naturally, to thoughts about the political conditions. This process was naturally aided by the state of European thought existing at this period. The writings of Paine, and the Philosophical Radicals of Burke and Mill filled their minds with the ideas of freedom and nationality. The stirring stories of the nationalistic movements in different parts of Europe, and in particular, the affairs of Italy exercised a great formative influence on their minds. The career, and writings of the Italian patriot, Mazzini, fired the imagination of young educated Indians, already enlivened by social and religious excitement. Thus the modern nationalistic movement in India struck root, first of all, in those classes which had drunk deep from the fountain of European culture. Their teachers and heroes were Cavour, Mazzini, Kossuth, Mill and Burke. They adopted the methods of western national movements. There were yet another European source which added its contribution to the growth of nationalism. Many Europeans scholars studied the languages and cultures of ancient India, especially the Sanskrit literature, and revealed the glory of our ancient civilisation, not only to the Europeans, but also to the Indians. The people began to know their country with its rich heritage of the past. This increased their love for their homeland.

Influence of western nationalism.

The leaders of this rising generation were very remarkable personalities. They assimilated European teaching with astonishing rapidity, reading, writing and translating much. They created the modern India. Among them were the great religious reformers, of whom we already know something. This generation also produced other great leaders:—Dadabhai Naoroji, the Grand Old Man of India, (a Professor of Mathematics, a journalist, one of the founders and the second President of the Indian National Congress, and a member of the British Parliament,) Gopal Krishna Gokhale (Professor of History and Economics, and the founder of the Servants of India Society), Sir Surendra Nath Banerjee, the "Indian Gladstone" (also a Professor of English, an ex-I.C.S. official and a journalist).

Influence of the vernacular languages and the press.

Though the English education permeated a small upper class, its influence did not stop here. A revolution also took place in the vernacular languages and literatures, largely through the instrumentality of the English Scholars and Christian missionaries. These people translated European books (especially the Bible) into Indian languages, created new forms of expression and compiled dictionaries. They established printing presses to publish books in the Indian languages. In this way the Indian languages and literatures which were being crushed under the burden of banal formalities, were given new lives. The Bengali literature underwent a great development. Through its medium, the educated upper classes tried to preach their ideas to a wide circle of their countrymen. And inevitably they were led along the paths of patriotism. Newspapers were published in the Indian languages. These papers, like *Samachar Darpan, Amrita Bazar Patrika, Somprakash,* were instrumental in rousing the patriotic feelings of the people. The new educated classes created the modern Bengali literature, so full of national consciousness. And the most important book was *"Ananda Math"*, written by Bankim Chandra Chatterjee, one of the first batch of graduates turned out by the Calcutta University. The book came to be regarded as the Bible of nationalism by young Bengal. Its song, *"Vande Mataram"* became the national anthem of India. The new Bengali literature was thus a powerful factor in rousing national consciousness in India.

Economic factors.

Other streams have also fed the river of Indian nationalism. Economic causes were important factors. When the English education was first introduced in India, purely literary education was imparted on the model of Eton and Oxford. The boys were trained only for the professions, especially the civil service and law. But the educated Indians soon found that posts in the civil service, for which they were fitted by education, were all occupied by Englishmen who were extremely unwilling to throw them open to Indians. Hence they became the agent of reform against the prevailing conditions. So economic motives were added to the sentiments of patriotism. And the early sessions of the Indian National Congress demanded increasing participation of Indians in the administration of the country. Moreover, the new educated classes were seriously concerned over the growing poverty of the people, and the decay of our industries owing to the competition of British goods. It came to be understood that this was the inevitable result of the policy pursued by the government of the country. The Indian newspapers published in those days were full of instances of the downfall of our national industries owing to the indifference of the government, and the deliberate policy pursued for favouring British trade in India. Many of the early reformers tried to set up Indian industries. Those who have read the life of Rabindra Nath Tagore will be able to know some instances of such industries started by members of the Tagore family. These efforts failed, owing primarily to the cut-throat competition of the strong foreign firms. The Indian leaders were not slow to understand that if they were to lift themselves from poverty, they must resist exploitation by the European capitalists. And such resistance could not be effective unless India possessed a national government of its own.

Injustices of government and Europeans.

There were also certain other causes which had roused the spirit of the people. The most important among them has been the attitude of the English bureaucrats, and the European population of India. These bureaucrats had become accustomed to rule millions of "blacks" autocratically. They could not accustom themselves to regard the "natives" as equals. The arrogance of the Anglo-Indian bureaucrats, and their claim to racial superiority roused the indignation of Indians. In 1849, Mr. Bethune introduced a Bill in the Council of the Governor-General, whereby Europeans convicted of serious offences could be tried in those areas where the offence was committed. Previously the Europeans living in the mofussil areas could only be tried in the Supreme Court at Calcutta. The Europeans called it "A Black Act", staged a violent agitation against the Bill, and forced the government to postpone it. This inevitably led to counter-agitation among the educated Indians who formed the British Indian Association in 1851 by amalgamating the Zemindar Sabha (founded in 1837 by Dwarka Nath Tagore and other disciples of Ram Mohan Roy) and the British Indian Society (founded in 1843 by Mr. Thomson, Mr. Harry, Ramgopal Ghosh and others). The British Indian Association had branches in other provinces, and might be regarded as the first All-India political organisation. This period was followed by the agitation against the European Indigo Planters who carried on strong oppression among the cultivators. The whole movement found expression in a Bengali drama, *Nil Darpan,* (the Mirror of Indigo).* This agitation roused the patriotic spirit among the Indians. The feeling against the arrogance and high-handedness of the British rose very high when Lord Lytton passed the Vernacular Press Act in 1878 for throttling the vernacular newspapers. Then came the agitation over the famous Ilbert Bill. It was introduced by Lord Ripon with the object of putting Europeans and Indians on a footing of equality in criminal proceedings. The Europeans opposed it bitterly and even threatened to use force to prevent the passing of the Bill. This agitation evoked bitterest racial hostility, and united the Indians in opposition. Sir Henry Cotton who was an official in Bengal at that time expressed the opinion that this agitation and the successful protests of the Europeans against the Ilbert Bill tended strongly to unite Indian national opinion. This has happened again and again in our history. Indian nationalism arose as a retort to the spirit of racial superiority claimed by the Europeans. Other historic examples are the passing of the Rowlatt Acts, following India's generous sacrifices during the last war, and the senseless slaughter at Jalianwallabagh, carried out by Sir Michael O'Dwyer and General Dyer, which was the reply of bureaucracy to the Mont-Ford Reforms.

---

* See J. Nehru, *Glimpses of World History.* (P. 439).

Some influence was also exercised by the rise of modern Japan as a first class power. When Japan won the war against Russia at the beginning of this century, this fact electrified the people of our country. It broke the spell of superiority cast by the rise of Europe as a military and industrial power. Any eastern country can aspire to the same position as Japan if it made a supreme effort. The national movement derived fresh impetus from this victory of an eastern country over the great collosus of Europe.

CHAPTER 13

SOME SOCIAL PROBLEMS OF INDIA

The important defects in the social organisation of our country have attracted the attention of all reformers from the earliest time. The moment Indians became slowly conscious of the sad conditions into which their country had fallen they felt the need of reforming the social evils of the country. We have already seen that the immediate result of the impact of the introduction of the western system of education on the minds of Indian youth was an urge towards religious reform. It also made them conscious of the serious evils present in their social organisation. In fact, almost all religious reformers were great advocates of social reform. Raja Ram Mohan Roy was a great social reformer, and took an active part in the movement which led to the prohibition of the *Sati* by Lord Bentinck in 1829. The Brahma Samaj, founded by him, attacked social evils like the caste system, the subjugation of women, etc. Swami Dayanda denounced the caste system, and many other social evils of our country. The political leaders were also the most convinced advocates of social reform in various directions. In fact, all the movements are the offshoots of the same desire to see India take her proper place in the world.

The most serious social problems of our country, especially among the Hindus, are the existence of the caste system, the depressed classes, the position of women, and other evils like the system of early marriages, etc. Excepting the first two evils, the other problems are also present in the case of the Muslims. The Muslims do not recognise the institution of caste, and so have been fortunate enough to escape the evils of separatist tendencies.

Caste system.

It is not necessary for us to discuss the origin of the caste system. Whatever the origin, the system has given rise to serious problems in our country. Its economic evils are already well-known. The existence of the caste system hinders the free mobility of labour between different occupations. A man must adopt the occupation of his caste, whether he likes it or not, or whether he possesses an aptitude for it or not. According to the strict rules of the caste system, a carpenter's son must become a carpenter. There is, however, no guarantee that he will possess the special qualities which go to make a good carpenter. On the other hand, he may feel a great liking for weaving, and may shine if he is given suitable opportunities of adopting that profession. But none but a weaver's son can become a weaver. Hence we often find many men forced to follow the caste professions, for which they have neither the ability, nor the preference. The caste system does not allow the free movement of labour from one occupation to another. Of course, now-a-days we find people freely taking up professions without considering the question whether these are proper to their castes or not. That is because the people do not follow the economic principles of the caste system.

Evils of the caste system.

From the social point of view, the main defects of the caste system are that it has given rise to separatist tendencies among the Hindus; and secondly, it is responsible for the problem of the Depressed classes. The people are divided into different castes with strict rules about mixing with other castes. So the system stands in the way of uniting the people. It is a bar to national unity. It divides people into so-called "higher" and "lower" castes, and has thereby complicated the working of the social organism. It is also responsible for the present position of the Depressed classes. Many religious and social reformers of our country have therefore advocated the abolition of this system. The founders of the Vaishnava religion and the Sikh religion have abolished all rules of caste for their followers. In recent times, the Brahmo Samaj and the Arya Samaj do not favour the caste system. The rigours of the system have, of course, decreased among the educated classes in our country. But the system has still a very strong hold among the people.

Disabilities.

Depressed Classes. The Depressed classes comprise those people who belong to the so-called "lowest" castes among the Hindus, whose touch or proximity carries pollution, and who follow "unclean and impure" occupations. They form nearly twenty per cent of people of India, and about thirty per cent among the Hindus. These castes followed different functions which were regarded as unclean or degrading. Hence they were assigned the lowest status in society. Some of these castes have also been formed by people belonging to the aboriginal tribes. These tribes were slowly absorbed into the Hindu society, and were transformed into different castes. As they came from the aboriginal tribes, they were, therefore, given a very low status by the Brahmins. Whatever the origin of these castes, these people have been placed under many disabilities by the so-called higher castes. The people belonging to the higher castes will not drink water touched by these classes. In many parts of the country, they were not allowed to draw water from a well used by the higher castes. They are not allowed to touch a member belonging to the higher castes. Though technically a Hindu, they were denied access to the interior of a Hindu temple. The actual disabilities from which the depressed classes suffer vary in different States. In some States the children belonging to the depressed classes are not allowed to sit in the school, on the same bench with the children of the higher castes; they are not often allowed to send their children to the same school. The disabilities are the greatest in Madras and Malabar. Even his shadow would pollute a Brahmin. So the *pariahs* (as some of these men were called) were not allowed to come within a certain distance of a high caste Hindu lest they should pollute him. They must leave the road, and stand at a distance if they found a high caste individual treading the same road. They were even required to shout at times in order to give warning to the high caste people of the dangers of pollution by his presence. Many of these disabilities look fantastic and often inhuman when stated in cold print. Nevertheless they have been tolerated for centuries. It is a great shame that we have imposed in the name of religion such disabilities on our brothers and sisters. There is but one caste in the world, the brotherhood of man. And the senseless rules which look upon a man or a woman as low in status simply because he or she is born in a particular family or class must certainly go.

The problem has been complicated by the fact that these people are not only the lowest in social and religious hierarchy, they also belong to the lowest economic strata. They are extremely poor, and as usual, abject poverty has caused many degradations among them. They live in a separate part of the village in damp and dingy *bustees.* They live segregated in the *charis* in Madras; in *bastis* in the Punjab; in *mohallas* or *tolis* in the U.P.; and in the *pallis* and *paras* in W. Bengal. They are also innocent of any education. As the result of all these facts, these people have no social rights in the Hindu society, and they possessed, until recently, very little political and civic rights. Treated as helots and subjected to every conceivable mark of humiliation by the upper castes, these unfortunates have often found refuge in conversion to other faiths. But the bulk of them have remained loyal to their ancestral faith.

How to improve their positions.

The position has, of course, improved in recent times. The Depressed classes have become politically conscious and are striving hard for the removal of their disabilities. A great many leaders among the caste Hindus have also recognised the injustice, and have devoted their attention to the uplift of the untouchables. Mahatma Gandhi's Poona fast focussed attention on this question, and the Harijan movement started by him is also doing much for the removal of disabilities and for the improvement in their conditions. The Proclamation issued by the Ruler of Travancore throwing open the gates of temples to the untouchables saw the beginning of a movement for allowing temple-entry to these unfortunates throughout the country. In the political sphere, the Depressed classes have been given increased representation in the various lagislatures. Their representatives are to be elected on the basis of joint electorates with reservation of seats. The State ministries are spending more money for providing special educational facilities for these people. To increase their representation in the public services, a certain percentage of the appointments at the disposal of the government has been reserved for the members belonging to the Depressed classes.

An all-round improvement in the conditions of the Depressed classes is a *sine qua non* of the orderly development of Indian Nationalism. A most hopeful sign is the practical unanimity with which educated Hindus have come to condemn the practice of untouchability. Now that the recognition has come that the existence of a suppressed class is a blot on Hinduism, it should be the aim of everyone concerned to see that these people enjoy equal rights in all spheres of life. Whatever could be done by legislation or administrative measures to remove the disabilities should at once be adopted. The new constitution justly embodies a Declaration of Fundamental Rights, guaranteeing equal rights, civil, political and social, to all classes of people. The government should sternly discourage all ideas of segregation in schools, and should withdraw recognition from such schools as recognise untouchability. In the matters of education, sanitation and medical relief facilities should be provided in the shape of scholarships and special grants. What is specially necessary is to spread education among them. Education, transport, commerce and political power have always acted as solvents of age-old caste prejudices, and it is only by aiding the Depressed classes to participate in an increasing measure in these activities that the stigma attaching to them could be removed.

The Position of Women. Another serious social problem is presented by the position of women in our country. Women form another suppressed class in India. They are looked upon as domestic slaves, the hewers of wood and the drawers of water for the male members of the household. Until recently, they had no education, and no independent status in society. But this was not always the case in ancient times. Women enjoyed more freedom during those times than at present. Many of them were highly educated, and were well-known for their learning like Lilavati, Gargi and others. They enjoyed considerable freedom in the choice of their husbands. This is clearly borne out by the practice of *Swayambara,* according to which the daughter selected her husband from among a number of intending candidates for her hand. It was also the rule that religious practices should not be carried on without the association of the wife. It was the *shastric* injunction among the Hindus that the daughter should also be brought up and educated with great care. The position of women deteriorated from the time of the establishment of the Muslim rule in India. The attempt of the Hindus to protect their religion and social system from the onslaught of the victorious Muslims led to the tightening of the social rules in the country. Women were the worst sufferers. They were put under *purdah,* and the system of early marriages was introduced. They were deprived of the opportunity of getting education. They came to occupy a subordinate position in the society. Under the Hindu laws of inheritance, women are not allowed to inherit any property from their parents. If the husband dies, she is not allowed to re-marry. The position of the widows is really deplorable. They are looked upon as so many burdens by other members of the family, and generally work as slaves throughout the day and night. Among the Muslims, women are allowed to inherit a part of their father's property. They are also allowed to re-marry. But in spite of these, the position of women in their society is nearly the same as among the Hindus. They are not given proper education, and are allowed to move out only under strict *purdah.*

Disabilities.

All great social reformers of our country have urged the necessity of raising the status of women, and giving them equal rights with men. Brahmo Samaj movement did much to improve the position of women. The Arya Samajists have always advocated the equality of women with men, and have taken many steps for the spread of education among women. It was recognised

How to improve their position.

that no country could aspire to reach greatness if half of its population was kept in a submerged condition. There is no valid reason, except prejudice, to deny equality of rights to women along with men. It should be noted that the position of women has improved in recent times. The impact of the western education has liberalised the minds of the people. The more enlightened among them has come to regard it as their duty to educate their girls like the boys. The number of schools and colleges for women has increased in our country. Co-education has also been adopted in many parts of the country. The *purdah* system is slowly dying out. The government has also taken some steps to improve the condition of women. The first step taken by the government was to abolish the practice of *Sati,* which was prevalent among the Hindus. The widow re-marriage act was passed, at the instance of the great social reformer, Iswar Chandra Vidyasagar, removing the social bar on the re-marriage of Hindu widows. In recent times, the Sarda Act was passed (so-called because the Bill was introduced in the legislature by Sj. Haribilas Sarda) to raise the age of marriage for girls and boys. It was an attempt to prohibit child marriage in the country. The Act is, of course, more honoured in breach than in observance. And in spite of the removal of the bar on widow re-marriage, the number of widows who are re-married is comparatively small in our country. Such is the hold of custom among the orthodox section of the people. Women have also been granted some political rights. The franchise for election to the legislatures has been specially lowered to give the vote to a large number of women. Special seats have been reserved for women in the various legislatures of the country. The national struggle for independence has also roused the spirit of women. Many of them have come out of the *purdah,* and have taken an active part in the freedom movement. One of the most noticeable phenomena during the Civil Disobedience movement of the early thirties was the large number of women who took part in that movement. Women were roused from their deep slumber of ages, and were slowly taking up their rightful place in all spheres of life.

Women should be treated on the same footing as men. Their spheres in life may be different. But that does not entitle one to confer an inferior status on them. They should be educated equally with men. The *purdah* and the system of child marriage should be discouraged. Women should be granted equal political rights. No country can aspire to be free if half of its population is kept as slaves by the other half. Those who are kept back will exert a downward pull on the others. It is, therefore, essential to spread education among women. This will make available to the country a wealth of capacity which now lies dormant. Steps should also be taken to remove the disabilities under which they suffer.

Steps taken by the government to promote social reform.

It must be admitted that, though unrepresentative, the Government of India had promoted several measures of social reform in the past. It was instrumental in taking the most important step towards social reform, that is, the introduction of western system of education. It liberalised the minds of man, and made them conscious of the serious social evils of our country. Apart from taking this fundamental step, the state had also adopted some specific measures of social reform. Lord Bentinck's government carried on the important step of prohibiting the burning of *Sati,* a step in which the Viceroy was encouraged by Raja Ram Mohan Roy. In 1843, Lord Ellenborough abolished slavery throughout India. His successor in office, Lord Hardinge, suppressed two bad social customs, *e.g.,* female infanticide and the practice of human sacrifices before the deities. The right of widows to re-marry was also given legal recognition, and the name of Iswar Chandra Vidyasagar would always be associated with that benevolent measure. The great Indian Revolt of 1857, however, brought about a change in the policy of the government. Henceforth the government adopted the policy of neutrality in social and religious matters. The next step in social reform therefore came late in 1892 when an Act was passed which fixed the age of marriage for girls at twelve, thereby trying to check the evils of child marriage. The age of marriage was raised subsequently by the Sarda Act to fourteen for girls.

The relation between social and political reform.

So long we have been discussing some of the serious social problems of our country. The need for social reform has been felt long ago by many great thinkers. Many of them have striven hard to drive away these evils from our society. Their efforts have, of course, borne some fruit. But the extent of real advance so far has not been commensurate with the vastness of problems. It is because real progress in this direction cannot come unless there is political freedom in the country. Political reform precedes social reform. Unless there is a democratic and responsible government, it is not possible to carry through radical measures of social reform. Political freedom develops the civic sense of the people. They readily obey the laws made by their representatives. None but a democratic government can dare carry out the important and radical measures affecting the society. And without the support of the government and legislatures, it is not possible to introduce such measures in any country.

Now that India is. free, it will make the task of social reformers easier than before. The state is a mighty instrument for doing good to the people. When the state becomes the people's state, it is to be a great agency for the uplift of the people in all directions. Slavery is the parent of many evils, while the sun of freedom drives them away. With the passing of the political bondage, other bonds are easily snapped. A national government backed by the united will of the people rouses their spirit and influences their behaviour in many ways. Our national government has already commenced to fight the evils, and the results achieved in these two years are surely very encouraging. The evils which accummulated during two hundred years of slavery may not be remedied in a day, but given time and will, they are sure to be remedied now.